

Please note: These transcripts are not individually reviewed and approved for accuracy.

BEFORE THE
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD LOCAL
ASSISTANCE AND PLANNING COMMITTEE

IN THE MATTER OF THE:)
)
LOCAL ASSISTANCE AND PLANNING)
COMMITTEE MEETING)
_____)

DATE AND TIME: THURSDAY, SEPTEMBER 12, 1996
9:30 A.M.

PLACE: BOARD HEARING ROOM
8800 CAL CENTER DRIVE SACRAMENTO,
CALIFORNIA

REPORTER: BETH C. DRAIN, RPR, CSR
CERTIFICATE NO. 7152

BRS FILE NO.: 35406

Please note: These transcripts are not individually reviewed and approved for accuracy.

APPEARANCES

MR. WESLEY CHESBRO, CHAIRMAN MR. ROBERT C. FRAZEE,
MEMBER MS. JANET GOTCH, MEMBER

STAFF PRESENT

MR. RALPH CHANDLER, EXECUTIVE DIRECTOR
MR. ELLIOT BLOCK, LEGAL COUNSEL
MS. KATHY MARSH, COMMITTEE SECRETARY
MS. JUDITH FRIEDMAN, DEPUTY DIRECTOR LOCAL
ASSISTANCE

MS. CAREN TRGOVCICH, DEPUTY DIRECTOR WASTE
PREVENTION AND MARKET DEVELOPMENT

Please note: These transcripts are not individually reviewed and approved for accuracy.

I N D E X

PAGE_NO. _____

CALL TO ORDER AND EX PARTE COMMUNICATIONS	6
ITEM 1: REPORT FROM DIVERSION, PLANNING AND LOCAL ASSISTANCE DIVISION	7
ITEM 2: REPORT OF WASTE PREVENTION ACTIVITIES OF THE WASTE PREVENTION AND MARKET DEVELOPMENT DIVISION	13
ITEM 3: CONSIDERATION OF CONSENT AGENDA:	18
ITEM 5: CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF COALINGA, FRESNO COUNTY	
ITEM 6: CONSIDERATION OF STAFF RECOMMENDATIONS ON THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF FOWLER, FRESNO COUNTY	
ITEM 7: CONSIDERATION OF STAFF RECOMMENDATIONS ON THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE UNINCORPORATED AREA OF FRESNO COUNTY	
ITEM 8: CONSIDERATION OF STAFF RECOMMENDATIONS OF THE ADEQUACY OF THE MULTIJURISDICTIONAL SOURCE REDUCTION AND RECYCLING ELEMENT AND THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE UNINCORPORATED AREA OF GLENN COUNTY AND THE CITIES OR ORLAND AND WILLOWS	
ITEM 9: CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF RIO DELL, HUMBOLDT COUNTY	
ITEM 10: CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF BELL, LOS ANGELES COUNTY	

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

ITEM 11: CONSIDERATION OF STAFF
RECOMMENDATIONS ON THE ADEQUACY OF THE NONDISPOSAL
FACILITY ELEMENT FOR THE CITY OF SIGNAL HILL, LOS
ANGELES COUNTY

ITEM 12: CONSIDERATION OF STAFF
RECOMMENDATIONS ON THE ADEQUACY OF THE NONDISPOSAL
FACILITY ELEMENT FOR THE CITIES OF UKIAH, FORT BRAGG
AND WILLITS

ITEM 13: CONSIDERATION OF STAFF
RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION
AND RECYCLING ELEMENT AND HOUSEHOLD HAZARDOUS WASTE
ELEMENT, AND THE NONDISPOSAL FACILITY ELEMENT FOR THE
CITY OF DEL REY OAKS, MONTEREY COUNTY

ITEM 14: CONSIDERATION OF STAFF
RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION
AND RECYCLING ELEMENT, THE HOUSEHOLD HAZARDOUS WASTE
ELEMENT, AND THE NONDISPOSAL FACILITY ELEMENT FOR THE
CITY OF SEASIDE, MONTEREY COUNTY

ITEM 15: CONSIDERATION OF STAFF
RECOMMENDATIONS ON THE ADEQUACY OF THE HOUSEHOLD
HAZARDOUS WASTE ELEMENT FOR THE UNINCORPORATED AREA OF
PLACER COUNTY

ITEM 16: CONSIDERATION OF STAFF
RECOMMENDATIONS TO INCREASE THE BASEYEAR DIVERSION AND
PROJECTED DIVERSION RATES FOR THE PREVIOUSLY APPROVED
SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF
CORONA, RIVERSIDE COUNTY

ITEM 17: CONSIDERATION OF STAFF
RECOMMENDATIONS ON THE ADEQUACY OF THE COACHELLA VALLEY
ASSOCIATION OF GOVERNMENTS MULTI JURISDICTIONAL SOURCE
REDUCTION AND RECYCLING ELEMENT AND HOUSEHOLD HAZARDOUS
WASTE ELEMENT FOR THE CITY OF DESERT HOT SPRINGS,
RIVERSIDE COUNTY

ITEM 18: CONSIDERATION OF STAFF
RECOMMENDATIONS ON THE ADEQUACY OF THE COACHELLA VALLEY
ASSOCIATION OF GOVERNMENTS MULTI JURISDICTIONAL FINAL
SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD
HAZARDOUS WASTE ELEMENT, AND THE NONDISPOSAL FACILITY
ELEMENT FOR THE CITY OF INDIO, RIVERSIDE COUNTY

Please note: These transcripts are not individually reviewed and approved for accuracy.

ITEM 19: CONSIDERATION OF STAFF
RECOMMENDATION TO INCREASE THE BASEYEAR DIVERSION AND
PROJECTED DIVERSION RATES FOR THE PREVIOUSLY APPROVED
SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF
PALM DESERT, RIVERSIDE COUNTY

ITEM 4: CONSIDERATION OF THE PROPOSED 1996
WASTE REDUCTION AWARDS PROGRAM WINNERS

STAFF PRESENTATION	18
PUBLIC TESTIMONY	--
COMMITTEE DISCUSSION	22
ACTION	24

ITEM 14: CONSIDERATION OF STAFF RECOMMENDATIONS
ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING
ELEMENT, THE HOUSEHOLD HAZARDOUS WASTE ELEMENT, AND THE
NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SEASIDE,
MONTEREY COUNTY

STAFF PRESENTATION	25
PUBLIC TESTIMONY	--
COMMITTEE DISCUSSION	--
ACTION	28

ITEM 20: RESULTS OF STAFF INVESTIGATION OF THE
VIABILITY OF NATIONAL RESIN SALES DATA FOR ASSESSING A
CALIFORNIA RPPC RECYCLING RATE, RESPONSE TO COMMENTS,
AND CONSIDERATION OF THE 1995 RIGID PLASTIC PACKAGING
ALL-CONTAINER RECYCLING RATE

STAFF PRESENTATION	29
PUBLIC TESTIMONY	51
COMMITTEE DISCUSSION	39, 69 ACTION
NONE	

ITEM 21: PULLED

ADJOURNMENT	85
-------------	----

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 SACRAMENTO, CALIFORNIA

2 THURSDAY, SEPTEMBER 12, 1996

3 9:30 A.M.

4

5 CHAIRMAN CHESBRO: GOOD MORNING. THIS IS
6 THE MEETING OF THE LOCAL ASSISTANCE AND PLANNING
7 COMMITTEE OF THE INTEGRATED WASTE MANAGEMENT
8 BOARD. CAN WE PLEASE CALL THE ROLL.

9 THE SECRETARY: BOARD MEMBERS FRAZEE.

10 MEMBER FRAZEE: HERE.

11 THE SECRETARY: GOTCH.

12 MEMBER GOTCH: HERE.

13 THE SECRETARY: CHAIRMAN CHESBRO.

14 CHAIRMAN CHESBRO: HERE.

15 I WANT TO, FIRST OF ALL, NOTE THAT WE
16 HAVE A NEW FATHER AMONGST US, JEFF HUNTS. I
17 DIDN'T HAVE -- I FORGOT TO CONGRATULATE HIM
18 YESTERDAY. SO ON BEHALF OF THE COMMITTEE GO AHEAD
19 DO THAT. HE HAS A NEW DAUGHTER, AND WE'RE VERY
20 PLEASED FOR YOU.

21 AS FAR AS HOUSEKEEPING, ITEM 21 HAS
22 BEEN PULLED FROM TODAY'S AGENDA. I ALSO WOULD
23 LIKE TO SAY THAT THERE ARE COPIES OF THE CONSENT
24 AGENDA IN THE BACK OF THE ROOM AND ALSO SPEAKER
25 SLIPS FOR THOSE OF YOU WHO WOULD LIKE TO ADDRESS

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 THE COMMITTEE. IT WOULD HELP US OUT IF YOU WOULD
2 FILL THEM OUT AND BRING THEM FORWARD AND PROVIDE
3 THEM TO THE COMMITTEE'S ASSISTANT WHO'S SITTING
4 RIGHT HERE IN FRONT OF ME, KATHY MARSH.

5 I ALSO HAVE A COUPLE OF WRITTEN EX
6 PARTES TO REPORT, WHICH I THINK YOU ALL RECEIVED
7 COPIES OF. ONE IS FROM THE GROCERY MANUFACTURERS
8 OF AMERICA AND NUMEROUS OTHERS, DAN COLEGROVE AND
9 NUMEROUS OTHERS SIGNED THAT IS REGARDING ITEM 20,
10 THE RPPC ITEM. AND THEN THERE'S ALSO A LETTER
11 FROM CALIFORNIANS AGAINST WASTE SIGNED BY MARK
12 MURRAY ON THE SAME ITEM, WHICH I'LL ENTER BOTH OF
13 THOSE INTO THE RECORD AT THIS POINT.

14 ARE THERE OTHER EX PARTES YOU'D LIKE
15 TO REPORT?

16 MEMBER GOTCH: YOU COVERED THE TWO, THANK
17 YOU.

18 CHAIRMAN CHESBRO: I'D LIKE TO MOVE TO
19 AGENDA ITEM 1, WHICH IS AN ORAL REPORT BY JUDY
20 FRIEDMAN OF THE DIVERSION PLANNING AND LOCAL
21 ASSISTANCE DIVISION.

22 MS. FRIEDMAN: THANK YOU. GOOD
MORNING,

23 CHAIRMAN CHESBRO AND COMMITTEE MEMBERS.
THIS ITEM

24 IS AN UPDATE ON SOME OF THE MAJOR

Please note: These transcripts are not individually reviewed and approved for accuracy.

ACTIVITIES OF

25 THE DIVERSION PLANNING AND LOCAL ASSISTANCE

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 DIVISION.

2 FIRST AN UPDATE ON LOCAL PLANS.

3 ELEMENTS IN 15 JURISDICTIONS ARE ON TODAY'S

4 AGENDA; AND THAT, OF COURSE, IS A COMBINATION OF

5 SRRE'S, HHWE'S, NDFE'S, SITING ELEMENTS, AND

6 SUMMARY PLANS. WE HAVE 10 SRRE'S, 11 HHWE'S, AND

7 9 NDFE'S TODAY.

8 AS OF SEPTEMBER 1ST, THE BOARD HAS

9 RECEIVED APPROXIMATELY 1400 LOCALLY ADOPTED

10 ELEMENTS OF THE COUNTYWIDE PLANS FOR CONSIDERATION

11 OF APPROVAL, DISAPPROVAL, OR CONDITIONAL APPROVAL.

12 AND AT THIS TIME WE HAVE NOT RECEIVED SRRE'S FOR

13 33 JURISDICTIONS, SO WE ARE CONTINUING TO MAKE

14 PROGRESS IN TERMS OF THE NUMBER OF OUTSTANDING

15 SRRE'S THAT ARE LEFT.

16 OTHER PLANNING ISSUES. STAFF

17 PRESENTED DRAFT WORK PLANS ON THE STRATEGIES THE

18 BOARD MAY CONSIDER EMPLOYING TO ASSIST LOCAL

19 GOVERNMENTS AND INDUSTRY IN ACHIEVING AB

939'S

20 MANDATED 15 YEARS CAPACITY TO THE SIERRA

GROUP OF

21 THE CALIFORNIA REFUSE REMOVAL COUNCIL AT

THEIR

22 AUGUST 23D MEETING. STAFF PLAN TO COLLECT

23 FEEDBACK, REVISE THE WORK PLANS IF NECESSARY,

Please note: These transcripts are not individually reviewed and approved for accuracy.

AND

24 MAKE PRESENTATIONS ON THE RESULTS AT THE

OCTOBER

25 POLICY COMMITTEE MEETING.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 THE MEASUREMENT ACCURACY ISSUES
2 WORKING GROUP WILL HAVE A NORTHERN CALIFORNIA
3 MEETING IN DAVIS ON OCTOBER 2D AND A SOUTHERN
4 CALIFORNIA MEETING IN WHITTIER ON OCTOBER 3D. ALL
5 PARTICIPANTS ARE WELCOME TO ATTEND EITHER/OR BOTH
6 MEETINGS.

7 AS A RESULT OF THE PRIOR WORKING GROUP
8 MEETINGS, THE DOCUMENT "ASSISTANCE FOR JURIS-
9 DICTIONS ON DATA PROBLEMS" WAS MAILED TO ALL
10 JURISDICTIONS WITHIN THE STATE AND TO OTHER
11 INTERESTED PARTIES ON JULY 22D. THIS DOCUMENT
12 PROVIDED GENERAL GUIDANCE FOR JURISDICTIONS ON
13 WHERE TO BEGIN, HOW TO INVESTIGATE THEIR PROBLEMS
14 FURTHER, AND ALSO INCLUDED SOME EXAMPLES OF DATA
15 CORRECTIONS.

16 THE FOCUS OF THE OCTOBER WORKING GROUP
17 MEETINGS WILL BE TO DISCUSS ALTERNATIVE SOLUTIONS,
18 SUCH AS A NEW BASE YEAR FOR JURISDICTIONS THAT
19 HAVE DATA PROBLEMS THAT MAY NOT BE CORRECTABLE DUE
20 TO THE LACK OF DATA, THE LABOR INTENSIVENESS, HIGH
21 COST, AND OTHER BARRIERS ASSOCIATED WITH THE
22 CORRECTION PROCESS.

23 STAFF CONTINUES TO WORK WITH THE
24 DEPARTMENT OF CONSERVATION AND THE TRADE AND
25 COMMERCE AGENCY TO ASSIST A GLASS PLANT THAT

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 WISHES TO SITE IN CALIFORNIA. WE HAVE BEEN
2 SUPPORTING SEVERAL LOCAL GOVERNMENTS BY PROVIDING
3 INFORMATION ON THE AVAILABILITY OF GLASS AND THE
4 PROSPECTS FOR SELECTING AND TRANSPORTING IT TO THE
5 PROPOSED SITE.

6 STAFF BECAME AWARE THAT THE RICE STRAW
7 PRODUCERS ARE DISCUSSING THE FORMATION OF A
8 COOPERATIVE. THIS SHOULD PROVIDE THE PRODUCERS
9 MORE LEVERAGE IN DIVERTING RICE STRAW THROUGH THE
10 CENTRAL VALLEY, AND WE WILL FOLLOW THIS ISSUE AND
11 ASSIST IN LOCAL GOVERNMENT REQUESTS, IF NECESSARY.

12 ANNUAL REPORTS CONTINUE TO ARRIVE WITH
13 APPROXIMATELY 267 SUBMITTED TO DATE. STAFF ARE IN
14 THE PROCESS OF DETERMINING THE COMPLETENESS STATUS
15 OF EACH OF THE ANNUAL REPORTS.

16 AN UPDATE ON REGULATIONS, STAFF
17 DELIVERED THE FINAL REGULATIONS FOR ARTICLE 6.2,
18 SRRE CONTENTS; ARTICLE 6.4, NDFE CONTENTS; AND
19 ARTICLE 7.0, SRRE, HHWE, AND NDFE PROCEDURES TO
20 THE OFFICE OF ADMINISTRATIVE LAW TO BEGIN THE
21 FORMAL REVIEW PROCESS ON SEPTEMBER 3D. THE 45-DAY
22 PUBLIC REVIEW PERIOD WILL BEGIN ON SEPTEMBER 13TH.

23 SOME UPDATES ON USED OIL AND HOUSEHOLD
24 HAZARDOUS WASTE PROGRAM. THE USED OIL PROGRAM
25 CURRENTLY HAS OVER 2,000 CERTIFIED CENTERS, 513

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 INDUSTRIAL GENERATORS, 68 CURBSIDE COLLECTION
2 PROGRAMS, AND ONE ELECTRIC UTILITY, FOR A TOTAL OF
3 2584 PROGRAM PARTICIPANTS AND, OF COURSE, THAT
4 NUMBER GROWS EVERY MONTH.

5 SHAWN CAMPBELL OF ROSS CAMPBELL INC.
6 HAS PREPARED A VIDEO PAID FOR BY A USED OIL AND
7 RESEARCH AND DEMONSTRATION GRANT. THE FOCUS OF
8 THE VIDEO IS ON WHY LOCAL GOVERNMENTS SHOULD USE
9 REREFINED OIL IN THEIR FLEETS. THIS VIDEO WILL BE
10 AVAILABLE TO LOCAL GOVERNMENTS IN OCTOBER AT THE
11 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE.

12 IN ADDITION, A RESOURCE PACKET WILL BE
13 AVAILABLE, WHICH WILL HAVE A FILAMENT LIKE
14 RESOLUTION, THAT LOCAL GOVERNMENTS CAN PRESENT TO
15 THEIR BOARDS OF SUPERVISORS OR CITY COUNCILS
16 DIRECTING FLEET MANAGERS TO ONLY USE REREFINED OIL
17 IN THEIR FLEET.

18 PUBLIC EDUCATION AND PROGRAMS
19 IMPLEMENTATION PROGRAMS, DURING THE MONTH OF
20 AUGUST 14TH -- EXCUSE ME -- ON AUGUST 14TH STATE
21 OFFICES WERE ADDED TO THE STATE'S PROJECT RECYCLE
22 PROGRAM. STAFF MET WITH REPRESENTATIVES OF SIERRA
23 COLLEGE'S NEVADA CITY CAMPUS TO ASSIST IN SETTING
24 UP A RECYCLING PROGRAM BEFORE THE CAMPUS OPENED.
25 STAFF IS ACTIVELY INVOLVED WITH THE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 LEADERSHIP OF THE CALIFORNIA COLLEGIATE RECYCLING
2 COUNCIL TO DEVELOP TWO REGIONAL WORKSHOPS FOR
3 CAMPUS WASTE REDUCTION AND RECYCLING COORDINATORS.
4 THE FIRST WORKSHOP WILL BE IN NORTHERN CALIFORNIA
5 AT UC DAVIS AND IS SCHEDULED FOR OCTOBER 25, 1996.

6 STAFF, ALONG WITH OUR CONTRACTOR, SAFE
7 SHRED, CONDUCTED TWO PROJECT RECYCLE TRAINING
8 SESSIONS AT DGS OFFICES IN LONG BEACH. IN
9 ADDITION, STAFF HAVE BEEN CONTACTED BY PRIVATE
10 ENTITIES INTERESTED IN SPONSORING BUSINESS AND
11 SCHOOL DIVERSION WORKSHOPS IN THE RIVERSIDE AREA.

12 STAFF HAVE RECEIVED AN INVITATION FROM
13 A LOCAL STATE BUILDING MANAGER TO GIVE A PRESEN-
14 TATION AT THE ANNUAL MEETING OF STATE BUILDING
15 MANAGERS TO BE HELD IN FRESNO IN OCTOBER. THIS
16 WILL BE A GREAT OPPORTUNITY TO PROMOTE THE STATE'S
17 RECYCLING AND DIVERSION PROGRAM WITH THOSE
18 INDIVIDUALS WHO HAVE A SIGNIFICANT ROLE IN THE
19 PROGRAM'S SUCCESS.

20 AND THIS CONCLUDES MY PRESENTATION.

21 CHAIRMAN CHESBRO: THANK YOU VERY MUCH,
22 JUDY. ANY QUESTIONS FOR MS. FRIEDMAN? ANY
23 COMMENTS ON THE PRESENTATION? THANKS.

24 NEXT I'M GOING TO ASK FOR THE ORAL
25 REPORT BY CAREN TRGOVCICH REGARDING THE WASTE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 PREVENTION AND MARKET DEVELOPMENT DIVISION AND THE
2 ACTIVITIES THEY'RE ENGAGED IN THAT ARE CONNECTED
3 TO THIS COMMITTEE'S WORK.

4 MS. TRGOVCICH: MORNING, MR. CHAIRMAN AND
5 MEMBERS. THERE ARE JUST A FEW ITEMS THAT I'D LIKE
6 TO HIGHLIGHT FOR YOU THIS MORNING. AS WE SPEAK, A
7 CONFERENCE CONVENING VARIOUS REPRESENTATIVES OF
8 LOCAL MATERIALS EXCHANGES AND OTHER BUSINESSES IS
9 BEING CONVENED DOWNTOWN. THE MINIMAX CONFERENCE,
10 AS WE CALL IT, IS UNDER WAY NOW. AND THE PURPOSE
11 OF THAT CONFERENCE IS TO BE ABLE TO MAP OUT
12 STRATEGIES FOR HOW CALMAX CAN BEST MEET LOCAL
13 NEEDS.

14 ONE OF THE THINGS THAT WE WILL
15 CERTAINLY LOOKING TO IN CONVENING FUTURE MINIMAX
16 CONFERENCES IS MAKING SURE THAT THE TIMING IS
17 COORDINATED SO THAT INTERESTED MEMBERS OF THE
18 COMMITTEE, AS WELL AS IF ANY MEMBERS OF THE
19 EXECUTIVE OFFICE WANT TO ATTEND THOSE CONFERENCES,
20 THAT THEY CAN IN THE FUTURE.

21 CHAIRMAN CHESBRO: VICE VERSA, THAT CAN
22 CREATE DILEMMAS FOR MEMBERS OF THE PUBLIC WHO
23 MIGHT WANT TO ATTEND BOTH MEETINGS.

24 MS. TRGOVCICH: SO WE'LL MAKE SURE TO DO
25 THAT IN THE FUTURE, BUT WE'RE HOPING TO SEE A WIDE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 ARRAY OF STRATEGIES THAT WE CAN BRING FORWARD FOR
2 IMPLEMENTATION COMING OUT OF THIS CONFERENCE
3 TODAY.

4 "WASTE PREVENTION WORLD" WAS A FEATURE
5 IN A RECENT EDITION OF "RESOURCE RECYCLING
6 MAGAZINE." I THINK THAT THEY HIGHLIGHTED IT AS
7 ONE OF THE MAIN FOCAL POINTS OF THE BOARD'S WEB
8 SITE, AND THEY WENT INTO QUITE A BIT OF DETAIL
9 AROUND THE VARIOUS TYPES OF PUBLICATIONS, INFOR-
10 MATION, EDUCATIONAL MATERIALS THAT CAN BE ACCESSED
11 THROUGH THIS PARTICULAR PIECE OF THE BOARD'S WEB
12 SITE. SO IT'S A WONDERFUL ARTICLE, AND I'M HAVING
13 COPIES MADE AND FORWARDED TO YOUR OFFICES. AND IT
14 ALSO PROVIDES A VERY GOOD USER FRIENDLY GUIDE JUST
15 ON HOW TO GET IN THERE AND BE ABLE TO WORK THE
16 SYSTEM.

17 CHAIRMAN CHESBRO: CAN I ASK YOU A
18 QUESTION?

19 MS. TRGOVCICH: CERTAINLY.

20 CHAIRMAN CHESBRO: DO WE HAVE A METHOD OF
21 TRACKING HOW MANY VISITS WE HAVE AT THE WEB SITE,
22 HOW MANY PEOPLE LOG ON AND CHECK IT OUT?

23 MS. TRGOVCICH: I KNOW THAT THROUGH IMB
24 THEY CAN, BUT I'D LIKE TO REFER TO JEFF HUNTS ON
25 THAT.

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 MR. HUNTS: YES. IMB HAS IMPLEMENTED A
2 COUNTER ON EVERY MAIN SUBJECT PAGE. WE DON'T YET
3 HAVE THE ABILITY TO TRACK WHO GOES TO EVERY
4 LOCATION WITHIN THE BOARD'S WEB SITE, BUT WE CAN
5 GET A GENERAL IDEA OF HOW MANY PEOPLE ARE
6 VISITING.

7 CHAIRMAN CHESBRO: JUST BE INTERESTING TO
8 SEE WHEN YOU GET SOME PUBLICITY LIKE THAT WHAT
9 KIND OF INTEREST THIS STIMULATES.

10 MS. TRGOVCICH: ALSO OCCURRING THIS MONTH,
11 AS PART OF AN INTERAGENCY AGREEMENT THAT WE HAVE
12 WITH SAC STATE, WE WILL BE HOLDING A CONFERENCE ON
13 SEPTEMBER 21ST. THE BOARD IS A COSPONSOR ALONG
14 WITH THE COMMITTEE ON SUSTAINABLE AGRICULTURE.
15 AND THE CONFERENCE IS FOCUSING ON COMPOST
16 PRACTICES. THERE'S ALSO A TOUR ASSOCIATED WITH
17 THE CONFERENCE. THERE'S BEEN A FLIER THAT'S BEEN
18 DISTRIBUTED. SO WE'RE HOPING TO SEE SOME GOOD
19 ATTENDANCE AT THE CONFERENCE, AND AS PART OF OUR
20 CONTINUING EDUCATION AND PROMOTION OF THE
PROGRAM,
21 HOPING TO SEE SOME GOOD RESULTS FROM THAT AS
WELL.

22 THE STAFF IN THE DIVISION ARE ALSO
23 BEGINNING TO UNDERTAKE ASSISTANCE EFFORTS FOR THE
24 PLAYA VISTA PROJECT. I'M SURE THAT ALL OF YOU

Please note: These transcripts are not individually reviewed and approved for accuracy.

25 HAVE HEARD ABOUT THIS ONE TO ONE EXTENT OR

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 ANOTHER. WE WILL BE MAKING A PRESENTATION BEFORE
2 THE MARKET DEVELOPMENT COMMITTEE IN OCTOBER.

3 ACTUALLY REPRESENTATIVES OF PLAYA
4 VISTA WILL BE COMING FORWARD TO PROVIDE THE
5 COMMITTEE WITH BACKGROUND ON WHAT IT IS THEY'RE
6 HOPING TO ACHIEVE, THE TYPES OF RECYCLED CONTENT
7 PRODUCTS THEY'RE HOPING TO BE ABLE TO INCORPORATE
8 INTO THE BUILDING OF THAT PROJECT, AND THE TYPE OF
9 ASSISTANCE THAT THEY'RE SEEKING FROM THE BOARD.

10 I'VE ALSO CONTACTED THE CLEAN
11 WASHINGTON CENTER AS WELL TO SEE IF THEY WOULD BE
12 INTERESTED IN PARTICIPATING OR COLLABORATING WITH
13 US TO AN EXTENT ON THIS PROJECT SINCE THIS PROJECT
14 WILL ALSO BE LOOKING AT GETTING INTO MORE OF THE
15 SPECIFICATION STANDARD SETTING AREAS RELATED TO
16 CONSTRUCTION AND INCORPORATION OF RECYCLED CONTENT
17 PRODUCTS.

18 I'D JUST LIKE TO CLOSE BY HIGHLIGHTING
19 FOR YOU TWO ITEMS THAT ARE ON YOUR AGENDA TODAY.
20 ONE IS THE WRAP AWARDS, AND THAT WILL BE PRESENTED
21 TO YOU A LITTLE LATER IN YOUR AGENDA. AND WE'RE
22 VERY PLEASED TO BE BRINGING THESE RECIPIENTS
23 FORWARD TO YOU, AND WE'LL BE WORKING WITH YOUR
24 OFFICES OVER THE COMING MONTHS TO BE ABLE TO
25 HIGHLIGHT A WAY TO PUBLICIZE THE RECIPIENTS OF THE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 AWARD AND TO DISCUSS WITH YOU THE WRAP OF THE YEAR
2 WINNER AND HOW WE PROPOSE TO BRING THOSE
3 RECIPIENTS FORWARD AS WELL.

4 AND THE FINAL ITEM FROM THE DIVISION
5 ON YOUR COMMITTEE AGENDA TODAY IS THE CONSIDER-
6 ATION OR THE DISCUSSION AROUND THE TWO AREAS OF
7 CONCERN THAT THE BOARD ASKED THE STAFF TO REVISIT
8 RELATED TO RPPC, AND YOU WILL BE HEARING THAT
9 LATER IN YOUR AGENDA AS WELL. THANK YOU.

10 CHAIRMAN CHESBRO: THANKS. ANY QUESTIONS
11 FOR MS. TRGOVCICH? THANKS. OKAY. NEXT WE HAVE
12 CONSIDERATION OF THE CONSENT AGENDA. AS I
13 MENTIONED, THERE'S COPIES IN THE BACK OF THE ROOM,
14 AND WE WILL PULL ANY THAT THERE'S AN INTEREST IN
15 DISCUSSING.

16 THE ITEMS THAT ARE ON THE CONSENT
17 AGENDA ARE ITEMS 5 THROUGH 13, THE HOUSEHOLD
18 HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY
19 ELEMENT FOR ITEM 14, AND ITEMS 15 THROUGH 19. AND
20 THE APPROPRIATE MOTION WOULD BE TO ACCEPT STAFF
21 RECOMMENDATION FOR APPROVAL OF THOSE ITEMS AND
22 THEN PLACEMENT ON THE BOARD'S CONSENT AGENDA. IS
23 THE LIST CORRECT?

24 MEMBER GOTCH: SO MOVED.
25 MEMBER FRAZEE: SECOND.

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 CHAIRMAN CHESBRO: IT'S BEEN MOVED AND
2 SECONDED. IF THERE'S NO REQUESTS FOR REMOVAL
FOR
3 ANY ITEMS, CAN WE PLEASE CALL THE ROLL.

4 THE SECRETARY: BOARD MEMBERS FRAZEE.

5 MEMBER FRAZEE: AYE.

6 THE SECRETARY: GOTCH.

7 MEMBER FRAZEE: AYE.

8 THE SECRETARY: CHAIRMAN CHESBRO.

9 CHAIRMAN CHESBRO: AYE. THE MOTION
10 CARRIES.

11 NEXT WE HAVE ITEM 4, WHICH IS
12 CONSIDERATION OF THE PROPOSED 1996 WASTE
REDUCTION

13 AWARDS PROGRAM WINNERS.

14 MR. HUNTS: GOOD MORNING, COMMITTEE
15 MEMBERS. MY NAME IS JEFF HUNTS. I'M THE SENIOR
16 OF THE BUSINESS EDUCATION AND ASSISTANCE SECTION
17 IN THE WASTE PREVENTION AND MARKET DEVELOPMENT
18 DIVISION. I HAVE WITH ME THIS MORNING LINDA
19 HENNESSY, WHO IS THE WRAP PROGRAM COORDINATOR,
WHO

20 WILL BE ABLE TO ANSWER DETAILED QUESTIONS SHOULD
21 THEY ARISE.

22 THE ITEM BEFORE THE COMMITTEE THIS
23 MORNING IS THE SEEKING OF APPROVAL OF THE

Please note: These transcripts are not individually reviewed and approved for accuracy.

PROPOSED

24 1996 WASTE REDUCTION AWARD PROGRAM WINNERS. THE
25 WASTE REDUCTION AWARD PROGRAM, OR EASIER TO SAY

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 WRAP, IS AN ANNUAL PROGRAM ESTABLISHED BY THE
2 BOARD IN 1993. IT RECOGNIZES CALIFORNIA
3 BUSINESSES THAT HAVE MADE OUTSTANDING EFFORTS TO
4 REDUCE NONHAZARDOUS WASTE, SEND LESS GARBAGE TO
5 OUR LANDFILLS, AND DO A VARIETY OF OTHER WASTE
6 REDUCTION PRACTICES.

7 1996 WAS A GROWING YEAR FOR WRAP.

NOT

8 ONLY WAS THE APPLICATION REVISED TO ELICIT
MORE

9 PRECISE ANSWERS AND TO COVER A BROADER
SPECTRUM OF

10 POSSIBLE WASTE REDUCTION ACTIVITIES THAT BUSI-
11 NESSES MIGHT PRACTICE, BUT THE SCORE NECESSARY
TO

12 QUALIFY AS A WRAP WINNER WAS RACHETED UP THIS
YEAR

13 FROM 70 PERCENT TO 75 PERCENT.

14 DESPITE THESE MORE RIGOROUS
REQUIRE-

15 MENTS, WRAP SAW EVEN MORE APPLICANTS AND
ACHIEVED

16 A HIGHER WIN RATE THAN IN PREVIOUS YEARS.

17 ADDITIONAL GROWTH IN THE PROGRAM WAS SEEN IN
TWO

18 NEW AREAS. ONE WAS THE TARGETING OF CHAIN

Please note: These transcripts are not individually reviewed and approved for accuracy.

STORES

19 OR MULTIFACILITY CORPORATIONS AND THE OTHER
WAS

20 THE WRAP OF THE YEAR INITIATIVE. AND I'LL
DISCUSS

21 BOTH OF THOSE IN MORE DETAIL IN A MOMENT.

22 DURING THE FIRST THREE YEARS OF
WRAP,

23 THERE HAVE BEEN A TOTAL OF 737 WINNERS, AND A

24 NUMBER OF THESE HAVE BEEN MULTIPLE-YEAR

WINNERS,

25 TWO OR THREE YEARS.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 THIS YEAR'S APPLICATION PERIOD RAN
2 FROM JUNE 1ST TO JULY 31ST, AND WE RECEIVED A
3 TOTAL OF 411 APPLICATIONS. IN APPLYING FOR WRAP,
4 APPLICANTS COMPLETE AN APPLICATION WHICH DISCUSSES
5 A BROAD RANGE OF WASTE REDUCTION ACTIVITIES. THIS
6 INCLUDES WASTE PREVENTION, REUSE, RECYCLING, THE
7 USE OF RECYCLED PRODUCTS, PACKAGING WASTE
8 REDUCTION, AS WELL AS EMPLOYEE EDUCATION AND
9 TRAINING.

10 RECEIVED APPLICATIONS WERE SCORED
11 COOPERATIVELY BY STAFF AND THE PROGRAM CONTRACTOR,
12 THE LOCAL GOVERNMENT COMMISSION. DUE TO THE
13 SUBJECTIVITY OF A NUMBER OF QUESTIONS WITHIN THE
14 APPLICATION, BORDERLINE NONWINNING APPLICATIONS
15 WERE RESCORED TO ENSURE THAT ALL DESERVING
16 BUSINESSES WERE GIVEN THE BENEFIT OF THE DOUBT.

17 AFTER SCORING THE APPLICATIONS BY
18 STAFF AND CONTRACTOR, THE LIST OF APPLICANTS WAS
19 SUBMITTED TO THE PERMITTING AND ENFORCEMENT
20 DIVISION TO DETERMINE WHETHER THERE WERE ANY
21 EXISTING OUTSTANDING SOLID WASTE COMPLIANCE ISSUES
22 WHICH SHOULD PRECLUDE ANY FROM RECEIVING A WRAP
23 AWARD. AND THERE WERE NO PROHIBITIVE COMPLIANCE
24 ISSUES IDENTIFIED THAT WERE RELATED TO ANY
25 QUALIFYING APPLICANT. THIS YEAR WE HAVE 356

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 PROPOSED WINNERS.

2 ABOUT THE TARGETING OF THE MULTI-
3 FACILITY CORPORATE COMMUNITY, ONCE AGAIN THIS
4 YEAR, AS LAST YEAR, TARGET STORES, TO BE A PUN
5 THERE, LED THE WAY BY SECURING NEARLY A THIRD OF
6 ALL AWARDS. TARGET STORES REPEATED THEIR INNO-
7 VATIVE APPROACH BY APPLYING FOR THE AWARD FOR EACH
8 AND EVERY STORE IN CALIFORNIA BY SUBMITTING ONE
9 APPLICATION THAT COVERED THE GENERAL PRACTICES
10 THAT ARE IMPLEMENTED CORPORATEWIDE, AS WELL AS
11 PROVIDING SUPPLEMENTAL INFORMATION ON SPECIFIC
12 ACTIVITIES AT EACH OF THE STORES AND DISTRIBUTION
13 CENTERS. OF THE 120 PLUS STORES THAT APPLIED,
14 OVER 110 ARE CONSIDERED WINNERS THIS YEAR.

15 THREE OTHER CORPORATE APPLICATIONS
16 WERE RECEIVED: KINKO'S INCORPORATED, VONS STORES
17 INCORPORATED, AND THE WALT DISNEY COMPANY. THESE
18 APPLICANTS REPRESENTED NEARLY 500 AGGREGATED
19 FACILITIES EMPLOYING NEARLY 70,000 PEOPLE. WHILE
20 THE FACILITY SPECIFIC INFORMATION FOR THESE
21 CORPORATIONS COULD NOT BE PROVIDED THIS YEAR, WRAP
22 IS EXCITED BY THE LEADERSHIP AND THE INITIATIVE
23 DEMONSTRATED BY THESE LARGE BUSINESSES AND IS
24 PLEASED TO BE ABLE TO RECOGNIZE THEIR CORPORATE-
25 WIDE EFFORTS BY AWARDING EACH OF THESE CORPORA-

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 TIONS A WRAP AWARD. WE HOPE THAT THEIR INVOLVE-
2 MENT THIS YEAR WILL LEAD TO MORE APPLICANTS NEXT
3 YEAR, AND STAFF ARE CONSIDERING POSSIBLE IMPROVE-
4 MENTS TO THE PROGRAM TO BETTER RECOGNIZE THESE
5 TYPE OF APPLICATIONS.

6 AS CAREN MENTIONED EARLIER, WRAP OF
7 THE YEAR WAS BORN OUT OF THE SUCCESS OF THE CALMAX
8 MATCH OF THE YEAR PROGRAM, AND STAFF AND THE
9 CONTRACTOR WILL BE SELECTING CANDIDATES IN EACH OF
10 THE MAJOR BUSINESS CATEGORIES THAT IS REPRESENTED
11 BY THE WRAP WINNERS. WE WILL CONVENE A PANEL OF
12 ADVISORS AND COMMITTEE ANALYSTS TO SELECT THE WRAP
13 OF THE YEAR WINNER FOR EACH OF THESE CATEGORIES
14 FROM THE CANDIDATES BASED ON A SET OF CRITERIA.
15 AND WE EXPECT TO BRING WRAP OF THE YEAR WINNERS
16 BACK TO THIS COMMITTEE WITHIN TWO MONTHS.

17 STAFF RECOMMENDATION TO THIS COMMITTEE
18 IS TO ACCEPT THE APPLICANTS THAT ARE LISTED IN THE
19 ATTACHMENT AND RECOMMEND TO THE BOARD THAT THE
20 PARTIES CONTAINED IN THAT LIST BE CONSIDERED THE
21 1996 WRAP WINNERS.

22 CHAIRMAN CHESBRO: OKAY. I GUESS THE ONLY
23 QUESTION I WOULD HAVE IS WE HAD GIVEN STAFF SOME
24 FEEDBACK ABOUT TRYING TO GET SOME AWARD WINNERS TO
25 THE BOARD MEETING OVER IN SALINAS. DOES THAT LOOK

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 LIKE THAT'S GOING TO BE A POSSIBILITY?

2 MR. HUNTS: LOOKS LIKE IT WOULD BE A VERY
3 STRONG POSSIBILITY. THERE ARE SIX WRAP WINNERS IN
4 MONTEREY COUNTY, INCLUDING PEBBLE BEACH, THE DOLE
5 COMPANY, AND THE TARGET STORE, AND WE'RE SCURRYING
6 TO GET INVITATIONS OUT TO THEM TO HAVE THEM THERE
7 SO THEY CAN BE RECOGNIZED.

8 CHAIRMAN CHESBRO: I KNOW THE FORMAL AWARD
9 THINGS AREN'T GOING TO BE READY, BUT IS THERE ANY
10 WAY TO PRESENT THEM KIND OF CERTIFICATE?

11 MR. HUNTS: WE'LL BE ABLE TO HAVE --

12 CHAIRMAN CHESBRO: EXCELLENT. THAT WOULD
13 GIVE THE BOARD'S ACTION MORE MEANING TO HAVE SOME
14 APPLICANTS PRESENT AND BE ABLE TO TALK A LITTLE
15 BIT ABOUT SPECIFIC BUSINESSES AND RECOGNIZE THEM
16 IN PUBLIC.

17 MR. HUNTS: WE'LL BE WORKING WITH PUBLIC
18 AFFAIRS TO MAKE SURE THAT THE PRESS IS AVAILABLE
19 AS WELL.

20 CHAIRMAN CHESBRO: ANY OTHER QUESTIONS OR
21 COMMENTS? APPARENTLY NOT. THE
22 MOTION WOULD BE TO
23 ACCEPT STAFF RECOMMENDATIONS FOR
24 THE 1996 WRAP
25 AWARD WINNERS AND FORWARD THEM
26 TO THE BOARD. AND

Please note: These transcripts are not individually reviewed and approved for accuracy.

24 WE WON'T PUT THOSE ON CONSENT.

SIGNIFICANT ITEM

25 FOR THE BOARD TO DEAL WITH.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 MEMBER FRAZEE: SO MOVED.

2 MEMBER GOTCH: SECONDED.

3 CHAIRMAN CHESBRO: IT'S BEEN MOVED AND
4 SECONDED. WE WILL SUBSTITUTE THE PRIOR ROLL CALL.
5 MOTION PASSES THREE TO ZERO.

6 MEMBER GOTCH: ONE QUICK QUESTION. AND
7 THAT IS THAT I SEE ON THE NONQUALIFYING
8 APPLICANTS, AND I LIVE IN A VERY SMALL TOWN,
9 SOMEONE WHO LIVES IN MY TOWN HAS APPLIED, IF YOU
10 COULD JUST GET BACK TO ME ON WHY THEY DID NOT.

11 MR. HUNTS: WE'LL CONTACT YOUR OFFICE AND
12 FIND OUT WHO THAT IS.

13 CHAIRMAN CHESBRO: JUST IN CASE YOU BUMP
14 INTO THEM AT THE GROCERY STORE, IT'S ALWAYS GOOD
15 TO KNOW IN ADVANCE.

16 WELL, THE OTHER THING I WOULD SAY, AS
17 I THINK WE'VE DONE IN THE PAST, IS I THINK WE
18 SHOULD TRY TO PROVIDE SOME ENCOURAGEMENT TO THOSE
19 WHO DIDN'T MAKE IT WITH SOME DIRECTION HOW THEY
20 MIGHT IN THE FUTURE.

21 MR. HUNTS: WE FOLLOW UP WITH ALL NON-
22 WINNERS TO SEE WHERE WE CAN PROVIDE THEM THE
23 ASSISTANCE THEY NEED TO BECOME WINNERS NEXT YEAR.

24 CHAIRMAN CHESBRO: I THINK WE NEED TO
25 REPEATEDLY REMIND OURSELVES THAT THE PROCESS OF

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 APPLYING AND EXAMINING ONE'S ACTIVITIES IS AT
2 LEAST AS IMPORTANT AS THE CREDIT FOR HAVING
3 ACHIEVED THE BENEFIT. I THINK WE'VE HEARD FROM
4 MANY BUSINESSES THAT SIMPLY GOING THROUGH THE
5 PROCESS, LOOKING AT THE CHECKLIST, THEY GET IDEAS
6 ABOUT THINGS THAT CAN BE DONE. AND CERTAINLY,
7 LIKE THE TARGET STORES WHERE EACH INDIVIDUAL STORE
8 GOES THROUGH THAT PROCESS, I THINK IT'S A
9 TREMENDOUS EDUCATIONAL TOOL FOR BUSINESSES AND
10 THEIR EMPLOYEES.

11 SO I THINK WE OUGHT TO KEEP THE PEOPLE
12 ON THE LINE. THE FACT THAT THEY APPLIED IS
13 SIGNIFICANT, AND IT'S OPPORTUNITY FOR US TO
14 ENCOURAGE THEM TO CONTINUE TO WORK ON THEIR
15 PRACTICES. SO I KNOW STAFF'S ALREADY DOING THAT.
16 I JUST WANTED TO HIGHLIGHT IT.

17 MR. HUNTS: THANK YOU.

18 CHAIRMAN CHESBRO: OKAY. WE WILL MOVE ON
19 TO ITEM 14, WHICH IS CONSIDERATION OF THE STAFF
20 RECOMMENDATION ON THE ADEQUACY OF THE SOURCE
21 REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF
22 SEASIDE IN MONTEREY COUNTY. MS. FRIEDMAN.

23 MS. FRIEDMAN: THANK YOU. YOU MAY RECALL
24 THE DISCUSSION THAT THE COMMITTEE HAD PREVIOUSLY
25 ON TWO OTHER JURISDICTIONS IN MONTEREY COUNTY FOR

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 THE CITY OF MARINA AND UNINCORPORATED COUNTY. THE
2 STAFF IS RECOMMENDING A CONDITIONAL APPROVAL ON
3 THIS ITEM, AND IT RELATES TO THE ALLOCATION OF
4 WASTE FOR FORT ORD, AND THOSE WERE THE TWO OTHER
5 JURISDICTIONS FOR WHICH WASTE ALSO NEEDED TO BE
6 ALLOCATED.

7 WITH THAT, I'M GOING TO TURN THE
8 PRESENTATION OVER TO TABETHA WILLMON AND NANCY
9 CARR FROM THE STAFF.

10 MS. WILLMON: GOOD MORNING, CHAIRMAN
11 CHESBRO AND OTHER MEMBERS. MY NAME IS TABETHA
12 WILLMON, AND I'M IN THE OFFICE OF LOCAL
13 ASSISTANCE.

14 ITEM 14 IS CONSIDERATION OF STAFF
15 RECOMMENDATION ON THE ADEQUACY OF THE SRRE FOR THE
16 CITY OF SEASIDE IN MONTEREY COUNTY. THE CITY OF
17 SEASIDE PLANS TO IMPLEMENT SEVERAL SOURCE
18 REDUCTION, RECYCLING, AND COMPOSTING PROGRAMS TO
19 MEET THE DIVERSION GOALS. THESE PROGRAMS INCLUDE
20 RESIDENTIAL CURBSIDE COLLECTION, DROP-OFF CENTERS,
21 BACKYARD COMPOSTING, PARTICIPATION IN A REGIONAL
22 MRF, AND ALSO A YARD WASTE COMPOSTING FACILITY.

23 THE CITY PLANS TO EDUCATE ITS CITIZENS
24 THROUGH MEDIA CAMPAIGNS, SPECIAL EVENTS, SCHOOL
25 CURRICULUM, AND TECHNICAL ASSISTANCE FOR
BUSINESS

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 AND GOVERNMENT PROGRAMS. THE CITY OF SEASIDE'S
2 DIVERSION PROJECTIONS FOR 1995 AND 2000 ARE 27.5
3 PERCENT AND 51.6 PERCENT RESPECTIVELY.

4 STAFF ARE RECOMMENDING CONDITIONAL
5 APPROVAL FOR THE SRRE. I WOULD LIKE TO TURN THE
6 PRESENTATION OVER TO NANCY CARR WHO WILL PROVIDE
7 AN EXPLANATION ON THE REASON FOR THE CONDITIONAL
8 APPROVAL.

9 MS. CARR: IN THE BASE YEAR SOLID WASTE
10 GENERATION STUDY, FORT ORD WAS TREATED AS A
11 SEPARATE JURISDICTION. WASTE QUANTITY AND
12 COMPOSITION DATA WERE DEVELOPED FOR FORT ORD
13 SEPARATELY. FOR THE PURPOSES OF AB 939, MILITARY
14 BASES ARE NOT CONSIDERED TO BE JURISDICTIONS LIKE
15 CITIES AND COUNTIES ARE. BASES ARE A SOURCE OF
16 WASTE WITHIN A JURISDICTION JUST AS A FACTORY OR
17 OTHER GENERATOR WOULD BE. FORT ORD LIES PARTLY
18 WITHIN THE CITY OF SEASIDE AND PARTLY WITHIN TWO
19 OTHER JURISDICTIONS, THE CITY OF MARINA AND
20 MONTEREY UNINCORPORATED COUNTY AREA.

21 WASTE TONNAGE FOR FORT ORD MUST BE
22 ALLOCATED TO THESE THREE JURISDICTIONS SINCE IT IS
23 A MAJOR WASTE GENERATOR WITHIN THESE JURISDIC-
24 TIONS. BOARD STAFF STATED THIS IN COMMENTS TO THE
25 CITY ON THE PRELIMINARY DRAFT SRRE. THIS ALLO-

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 CATION MUST BE MADE FOR THE BASE YEAR AND FOR EACH
2 OF THE GOAL YEARS SO THAT THE BOARD CAN DETERMINE
3 COMPLIANCE WITH THE DIVERSION GOALS.

4 SINCE THE ALLOCATION WAS NOT INCLUDED
5 IN THE FINAL SRRE, STAFF RECOMMEND A CONDITIONAL
6 APPROVAL FOR THE CITY OF SEASIDE. AS A CONDITION
7 THE ALLOCATION OF FORT ORD'S WASTE MUST BE
8 COMPLETED AND AGREED UPON BY THE THREE JURIS-
9 DICTIONS IN THE FIRST ANNUAL REPORT. THIS
10 APPROACH WAS DEVELOPED LAST YEAR IN DISCUSSIONS
11 WITH ALL OF THE AFFECTED JURISDICTIONS, SO THE
12 CITY IS AWARE OF THIS RECOMMENDED CONDITION AND
13 FINDS IT ACCEPTABLE.

14 THIS CONCLUDES STAFF PRESENTATION. IS
15 THERE -- ARE THERE ANY QUESTIONS?

16 CHAIRMAN CHESBRO: ANY QUESTIONS? HEARING
17 NONE, I'LL ENTERTAIN A MOTION TO ACCEPT STAFF
18 RECOMMENDATIONS AND CONDITIONALLY APPROVE THE
19 SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE
20 CITY OF SEASIDE AND FORWARD IT TO THE BOARD'S
21 CONSENT CALENDAR.

22 MEMBER GOTCH: SO MOVED.

23 MEMBER FRAZEE: SECOND.

24 CHAIRMAN CHESBRO: IT'S MOVED AND

SECONDED.

25 WE'LL SUBSTITUTE THE PRIOR ROLL CALL. MOTION

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 PASSES THREE ZERO. THANK YOU VERY MUCH.

2 AND THE REMAINING ACTION ITEM ON THE
3 AGENDA IS ITEM 20, WHICH IS THE RESULTS OF STAFF
4 INVESTIGATION OF THE VIABILITY OF NATIONAL RESIN
5 SALES DATA FOR ASSESSING A CALIFORNIA RPPC
6 RECYCLING RATE, RESPONSE TO COMMENTS, AND
7 CONSIDERATION OF THE 1995 RIGID PLASTIC PACKAGING
8 ALL-CONTAINER RECYCLING RATE. MS. TRGOVCICH.

9 MS. TRGOVCICH: GOOD MORNING AGAIN, MR.
10 CHAIRMAN AND MEMBERS. AS I STATED FOR YOU
EARLIER

11 IN MY DEPUTY DIRECTOR'S REPORT, THIS ITEM BEFORE
12 YOU IS A FOLLOW-UP TO THE ITEM THAT WAS PRESENTED
13 ON JULY 30TH IN UKIAH AT THE BOARD'S GENERAL
14 BUSINESS MEETING.

15 THE ITEM FOR CONSIDERATION AT THE
16 GENERAL BUSINESS MEETING IN UKIAH WAS CONSIDERA-
17 TION OF THE 1995 RIGID PLASTIC PACKAGING
CONTAINER

18 ALL-CONTAINER AND PET RECYCLING RATES. IN
19 RESPONSE TO THAT ITEM, THE BOARD DIRECTED STAFF
TO

20 GO BACK AND INVESTIGATE THE VIABILITY AND IMPORT
21 OF NATIONAL RESIN SALES FOR ASSESSING A
CALIFORNIA

22 RPPC RATE.

Please note: These transcripts are not individually reviewed and approved for accuracy.

23 WE WERE DIRECTED TO CONSULT WITH THE
24 DEVELOPERS AND PUBLISHERS OF NATIONAL RESIN SALES
25 DATA IN DETERMINING THE VALIDITY OF THESE NUMBERS

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 TO BE USED AS A BENCHMARK TO EVALUATE THE
2 RECYCLING RATE. WE WERE DIRECTED TO KEEP ALL
3 PARTIES INFORMED OF OUR FINDINGS AND OUR INVESTI-
4 GATION IN A TIMELY FASHION AND SEEK INPUT ON THE
5 STATUS FOR INVESTIGATION. AND WE WERE DIRECTED
TO
6 LIST AND RESPOND TO ISSUES RAISED BY MEMBERS OF
7 THE BOARD, THE RRAC, AND OTHER INTERESTED
PARTIES.

8 AT COMPLETION OF THE BOARD'S MOTION
IN
9 UKIAH, WE WERE THEN DIRECTED TO RETURN TO THIS
10 COMMITTEE IN SEPTEMBER AND TO THE FULL BOARD IN
11 SEPTEMBER TO PRESENT THE RESULTS OF OUR FINDINGS.
12 BILL HUSTON OF THE WASTE PREVENTION AND MARKET
13 DEVELOPMENT DIVISION WILL BE MAKING THIS
MORNING'S
14 PRESENTATION FOR YOU.

15 MR. HUSTON: GOOD MORNING. I'M BILL
HUSTON

16 WITH THE WASTE PREVENTION AND MARKET DEVELOPMENT
17 DIVISION. BY WAY OF A VERY QUICK BACKGROUND, THE
18 RIGID PLASTIC PACKAGING CONTAINER PROGRAM WAS
19 ESTABLISHED IN 1991 BY SENATE BILL 235 BY SENATOR
20 HART.

21 THE PUBLIC RESOURCES CODE SECTION

Please note: These transcripts are not individually reviewed and approved for accuracy.

22 42310 SPECIFICALLY ALLOWS A COMPLIANCE OPTION IF
23 THE BOARD CAN -- ACCEPTS AN ALL-CONTAINER
24 RECYCLING RATE FOR A GIVEN YEAR OF GREATER THAN
25
25 PERCENT. THIS MEANS THAT IF A RECYCLING RATE
THAT

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 IS EQUAL TO OR GREATER THAN 25 PERCENT, EVERYBODY
2 IS CONSIDERED TO BE IN COMPLIANCE WITH THIS
3 PROGRAM DURING THE YEAR THAT THE RATE WAS IN
4 EXCESS OF 25 PERCENT.

5 THE NEXT SHEET IN YOUR HANDOUT
6 BASICALLY SUMMARIZES THE MOTION THAT MS. TRGOVCICH
7 JUST COMMENTED ON. I'D LIKE TO GET DIRECTLY THEN
8 INTO THE BOARD STAFF'S DIRECTION AND ACTIVITIES
9 OVER THE LAST COUPLE OF MONTHS.

10 ONE OF THE REQUIREMENTS -- DIRECTIVES
11 OF THE BOARD WAS TO MAKE SURE THAT THE INTERESTED
12 PARTIES HAD AMPLE OPPORTUNITY TO REVIEW AND
13 COMMENT ON ALL OF THE DOCUMENTS THAT THE STAFF HAD
14 PREPARED IN RESPONSE TO THE BOARD'S DIRECTION. WE
15 DID SHARE DRAFT COPIES OF ALL OF OUR DOCUMENTS
16 WITH THE RRAC AND OTHER INTERESTED PARTIES SINCE
17 AUGUST 7TH AND UP TO AND INCLUDING AUGUST 5TH --
18 EXCUSE ME -- SEPTEMBER 5TH WHEN WE SENT THEM THE
19 AGENDA ITEM THAT IS BEFORE YOU TODAY.

20 ONE OF THE OTHER REQUIREMENTS OF THE
21 BOARD DIRECTIVE WAS TO ASSESS THE VIABILITY OF
22 USING NATIONAL RESIN SALES AS A BENCHMARK. WE
23 SPECIFICALLY ASKED THE INTERESTED PARTIES TO
24 COMMENT ON AND PROVIDE US GUIDANCE ON ANY IDEAS
25 THAT THEY MIGHT HAVE AND HOW WE MIGHT BE ABLE TO

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 OVERCOME SOME OF THE UNCERTAINTIES WITH THIS
2 BENCHMARK PROCESS THAT WE HAD NOT YET IDENTIFIED.

3 AS A RESULT OF OUR INVESTIGATION, WE
4 FOUND THAT THE NATIONAL RESIN SALE DATA ITSELF
5 COMES FROM SPI, SOCIETY OF PLASTICS INDUSTRIES,
6 SOMETHING LIKE THAT, AND IT INCLUDES CANADIAN
7 PRODUCTION AND EXPORTS. IT'S NOT POSSIBLE TO PULL
8 OUT ONLY THE UNITED STATES PRODUCTION AND
9 EXPORTS -- PRODUCTION, BUT RATHER INCLUDES
10 PRODUCTION OF RESIN IN CANADA AND ALSO EXPORTS TO
11 CANADA.

12 THE MODERN PLASTICS MAGAZINE TAKES THE
13 SPI DATA AND DOES SOME ADDITIONAL MASSAGING WITH
14 IT IN ORDER TO COME UP WITH THE NATIONAL RESIN
15 SALES ESTIMATES THAT THEY PUBLISH THEN IN JANUARY
16 FOR THEIR MAGAZINE. THEY DO HAVE TO MAKE
17 PROJECTIONS FOR THE FOURTH QUARTER, AND THOSE
18 RESULTS ARE NOT THEN CORRECTED OR MODIFIED UNTIL
19 THE FOLLOWING YEAR'S REPORT.

20 WE HAVE SOME INFORMATION IN THE FILE
21 THAT WOULD INDICATE THAT OVER THE YEARS THE
22 PROJECTIONS HAVE BEEN OFF BY AS MUCH AS 10 PERCENT
23 FOR THE ENTIRE YEAR BASED ON WHAT HAPPENED ONLY
24 DURING THE FOURTH QUARTER. ALSO, BECAUSE MODERN
25 PLASTICS DOES NOT HAVE A COMPLETE SURVEY PROCESS,

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 BUT RATHER LIMITED SURVEYS, THEY REQUIRE
2 CONSULTANT OPINION AND PROJECTIONS TO REFLECT THE
3 NONRESPONDENTS OR THOSE THAT ARE NOT SURVEYED
4 SPECIFICALLY TO COLLECT THE DATA.

5 EVEN ASSUMING, THOUGH, THAT WE WERE
6 ABLE TO GET VERY GOOD NATIONAL RESIN SALES DATA,
7 THERE STILL ARE A NUMBER OF ISSUES THAT WOULD
8 REQUIRE MORE CAREFUL ANALYSIS AND DOCUMENTATION
9 THAT WE SIMPLY DON'T HAVE AT THIS POINT.

10 THE MODERN PLASTICS DATA FOR THE RESIN
11 TYPES THAT INCLUDE RPPC'S ALSO ARE USED TO MAKE
12 NON-RPPC PRODUCTS. SO WE WOULD HAVE TO SOMEHOW
13 BACK OUT THE AMOUNT OF RESIN THAT IS USED FOR
14 NON-RPPC PRODUCTS FROM THE NATIONAL RESIN SALES.
15 WE WOULD ALSO HAVE TO SOMEHOW ESTIMATE THE YIELD
16 LOSS THAT OCCURS WHEN THE CONTAINERS THEMSELVES
17 ARE MANUFACTURED AND WHEN THE CONTAINERS ONCE
18 MANUFACTURED ARE SENT FOR FILLING.

19 SOME OF THOSE CONTAINERS ARE MIS-
20 LABELED AND ARE NOT MADE THEN INTO CONTAINERS OR
21 ARE NOT FILLED. THEY DO NOT BECOME A RIGID
22 PLASTIC PACKAGING CONTAINER UNTIL THEY ARE FILLED.
23 WE ALSO DON'T KNOW WHAT THE YIELD LOSS IN THE
24 MANUFACTURING PROCESS OF THE CONTAINERS MIGHT BE.
25 WE ALSO HAVE THE DIFFICULTY OF

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 PRORATING THE NATIONAL SALES DATA SPECIFICALLY TO
2 CALIFORNIA. WE DON'T KNOW IF POPULATION MIGHT BE
3 THE RIGHT FACTOR TO USE, THE NUMBER OF HOUSEHOLDS,
4 ECONOMIC ACTIVITY. THERE'S A VARIETY OF DIFFERENT
5 STRATEGIES THAT MIGHT BE ABLE TO BE USED TO
6 PRORATE, BUT WE DO NOT HAVE -- AND WE DID NOT GET
7 ANY SPECIFIC DIRECTION OR SUGGESTIONS FROM THE
8 INTERESTED PARTIES ON HOW WE MIGHT BE ABLE TO
9 PRORATE NATIONAL SALES SPECIFICALLY TO CALIFORNIA.

10 ALSO, THE NATIONAL RESIN SALES DATA DO
11 NOT INCLUDE POSTCONSUMER RESIN THAT IS USED IN THE
12 PRODUCTION OF RPPC'S, SO WE WOULD HAVE TO SOMEHOW
13 INCLUDE THAT POSTCONSUMER RESIN AND ALSO THEN
14 FACTOR THAT TO CALIFORNIA, WHICH MIGHT BE A
15 DIFFERENT PRORATION ISSUE BECAUSE PERHAPS MORE
16 POSTCONSUMER RESIN CONTAINERS COME TO CALIFORNIA
17 BECAUSE OF OUR RIGID PLASTIC PACKAGING CONTAINER
18 PROGRAM.

19 AND FINALLY, WE DO NOT HAVE A HANDLE
20 ON HOW MUCH OR HOW MANY RPPC'S ARE IMPORTED INTO
21 EITHER THE UNITED STATES OR CALIFORNIA FROM
22 OUTSIDE OF OUR SHORES. THESE WOULD BE PRODUCTS
23 THAT ARE NOT MADE FROM RESIN PRODUCED HERE IN THE
24 UNITED STATES, BUT RATHER MADE FROM OFFSHORE
25 COMPANIES AND THEN IMPORTED INTO THE STATE,

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 CERTAINLY ADDING TO THE GENERATION OF RPPC'S
2 WITHIN CALIFORNIA.

3 SO BASED ON THIS ANALYSIS AND THE
4 INVESTIGATION, WE HAVE CONCLUDED THAT AT LEAST FOR
5 1995 THE NATIONAL RESIN SALES ARE NOT A VALID
6 BENCHMARK FOR THIS STUDY.

7 CHAIRMAN CHESBRO: BEFORE YOU GO ANY
8 FURTHER, CAN I REMIND THOSE WHO WOULD LIKE TO
9 ADDRESS THE COMMITTEE THAT THERE ARE SPEAKER FORMS
10 IN THE BACK OF THE ROOM, WHICH WOULD BE HELPFUL IF
11 YOU WOULD BRING THEM FORWARD AND LET US KNOW THAT
12 YOU'RE INTENDING TO ADDRESS THE COMMITTEE?
13 THANKS.

14 MR. HUSTON: THE NEXT AREA THAT THE BOARD
15 DIRECTED THE STAFF TO FOCUS UPON WAS THE COMMENTS
16 RECEIVED FROM RRAC MEMBERS AND INTERESTED PARTIES
17 OVER THE COURSE OF THE CASCADIA STUDY. WE
18 SUBMITTED -- WE MAILED TO ALL OF THE INTERESTED
19 PARTIES LETTERS THAT WE HAD RECEIVED THROUGH THE
20 PROCESS ITSELF, AND IN LATE AUGUST WE SENT THEM
21 OUR RESPONSE TO ALL OF THOSE COMMENTS. THOSE ARE
22 ATTACHMENT 1 -- I'M SORRY -- ATTACHMENT 2 IN YOUR
23 AGENDA ITEM TODAY.

24 THERE ARE A COUPLE OF COMMENTS THAT WE
25 HAVE RECEIVED SINCE THEN AND A COUPLE THAT ARE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 PARTICULARLY IMPORTANT THAT I WANT TO DRAW YOUR
2 ATTENTION TO. WE DID HAVE SOME FOLKS COMMENT THAT
3 THEY QUESTION THE BOARD'S DECISION TO PARTICIPATE
4 IN THE APC STUDY AT ALL BECAUSE IT WAS NOT FUNDED
5 OR SPONSORED BY US. WE DID NOT ADDRESS THAT
6 COMMENT. WE FELT THAT THAT WAS BEYOND THE SCOPE
7 OF WHAT THE BOARD HAD DIRECTED US TO DO, AND WE
8 FOCUSED SPECIFICALLY ON THE COMMENTS RECEIVED
9 SINCE THE BOARD DECISION TO PARTICIPATE IN THE
10 STUDY.

11 WE DID HAVE ONE COMMENT THAT THE RPPC
12 PROGRAM PROVIDES AN INCENTIVE TO USE POSTCONSUMER
13 RESIN. WE AGREE WITH THAT. WE HAD ONE PERSON,
14 PERHAPS A COUPLE, SAY THAT WE SHOULD USE CASH
15 REGISTER SALES DATA AS A BENCHMARK FOR THIS STUDY.
16 THAT WAS NOT ONE OF THE DIRECTIVES FROM THE BOARD
17 IN THIS PROCESS, BUT WE WILL INVESTIGATE THE USE
18 OF NATIONAL RESIN SALES DATA EITHER AS A BENCHMARK
19 OR PERHAPS AS THE METHODOLOGY FOR THE 1996 STUDY.

20 WE HAD A NUMBER OF COMMENTS THAT WE
21 SHOULD INCLUDE LITTERED RPPC'S WITHIN THE AMOUNT
22 OF MATERIAL GENERATED. FRANKLY, WE DO NOT HAVE
23 ANY SOURCE OF INFORMATION ON THE AMOUNT OF RPPC'S
24 THAT ARE TOSSED ONTO THE HIGHWAYS AND BYWAYS AND
25 INTO THE OCEAN. SOME OF THOSE ARE PROBABLY
PICKED

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 UP BY COMMUNITY GROUPS ALONG THE FREEWAYS AND
2 WOULD THEN BE COUNTED WITHIN THE GENERATION OR
3 RECYCLING, DEPENDING UPON WHAT THEY DID WITH
THEM.

4 THERE ARE STUDIES THAT HAVE BEEN
5 COMPLETED THAT SHOW THE AMOUNT OF LITTER ALONG
THE

6 STATE'S HIGHWAYS, AND I HAVE NOT SEEN ANYTHING IN
7 THE WATERWAYS, BUT IT'S NOT BROKEN DOWN ANY FINER
8 THAN THIS IS THE AMOUNT OF LITTER. WE DON'T KNOW
9 WHETHER IT'S ALUMINUM CANS, WHETHER IT'S PAPER,
OR
10 WHETHER IT'S PLASTIC.

11 WE ALSO HAD ONE PERSON THAT DISAGREED
12 WITH THE STAFF CONCLUSION THAT THE USE OF THE
13 NATIONAL RESIN DATA WAS NOT VIABLE. HE SUGGESTED
14 THAT WE COMPARE SELECT CATEGORIES AND USE THOSE
TO

15 BENCHMARK THE STUDY. WE COULD NOT PULL OUT FROM
16 THE NATIONAL RESIN SALES A SELECT CATEGORY, SUCH
17 AS PET OR SODA BOTTLES, BECAUSE WE STILL HAD THE
18 DIFFICULTY, AS I HAD OUTLINED PREVIOUSLY, NOT
19 KNOWING WHAT THE YIELD LOSS WAS, NOT KNOWING WHAT
20 THE IMPORTS WERE, NOT KNOWING WHAT PERCENTAGE OF
21 THAT WAS GOING TO OTHER THAN UNITED STATES. THE

Please note: These transcripts are not individually reviewed and approved for accuracy.

22 SAME ISSUES TRYING TO ASSESS A SELECT CATEGORY OF
23 RPPC'S GIVES US THE SAME DIFFICULTY AS TRYING TO
24 DO RPPC'S IN TOTAL.
25 AND FINALLY, AND THIS WILL BE

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 BASICALLY THE REMAINING PART OF MY PRESENTATION,
2 WE HAD A COMMENT -- COUPLE OF COMMENTS THAT
3 INCINERATION WAS NOT INCLUDED. AND AS WE
4 INVESTIGATED THE METHODOLOGY AND THE WORK, WE
5 DISCOVERED THAT THAT, IN FACT, WAS THE SITUATION,
6 THAT THE MATERIAL THAT IS SENT TO A WASTE-TO-
7 ENERGY FACILITY, ONE OF THE THREE PERMITTED
8 FACILITIES IN THE STATE, WAS NOT INCLUDED IN THE
9 ORIGINAL STUDY.

10 WHAT WE HAVE FOUND IS THAT THERE'S
11 ABOUT 840,000 TONS OF WASTE THAT GOES TO A WASTE-
12 TO-ENERGY FACILITY. WE ALSO DISCOVERED THAT
13 276,000 TONS OF WASTE IS EXPORTED FROM THE STATE
14 FOR DISPOSAL IN ANOTHER STATE. SO THE STUDY ALSO
15 DID NOT INCLUDE THAT MATERIAL THAT WAS EXPORTED.

16 ATTACHMENT 3 OF YOUR HANDOUT -- OF
17 YOUR AGENDA ITEM OFFERS THREE OPTIONS FOR
18 ADDRESSING THE WASTE-TO-ENERGY AND EXPORT WASTE.
19 ALL THREE OPTIONS IN THE STAFF REPORT SUGGEST THAT
20 WE INCLUDE EXPORTS, THAT THAT MATERIAL WAS CLEARLY
21 DISPOSED, THAT IT SHOULD BE COUNTED IN THE
22 GENERATION OF RPPC'S. AND THAT IS OPTION 3,
23 INCLUDE ONLY THE EXPORTS.

24 THE OTHER OPTION IS TO INCLUDE
25 INCINERATION AND COUNT IT AS DISPOSAL. THIS IS

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 CONSISTENT WITH THE BOARD'S HIERARCHY, THAT
2 DISPOSAL AND TRANSFORMATION HAVE THE SAME -- HAVE
3 THE SAME PRIORITY AND IT SHOULD BE COUNTED AS
4 DISPOSAL.

5 THE SECOND OPTION RELIES MOSTLY ON A
6 PROVISION WITHIN THE RPPC STATUTE ITSELF WHEN IT
7 DEFINES WHAT RECYCLED MEANS.

8 CHAIRMAN CHESBRO: BUT, OF COURSE, WE'D
9 HAVE TO IGNORE THE OFFICIAL HIERARCHY OF THE STATE
10 OF CALIFORNIA AND AB 939, WHICH SAYS THAT INCIN-
11 ERATION IS ON THE SAME LEVEL WITH DISPOSAL.

12 MR. HUSTON: CORRECT.

13 AND FOR THE SECOND OPTION, THE
14 DEFINITION IN THE PROGRAM ITSELF SAYS THAT RPPC'S
15 THAT ARE REUSED TO MAKE ANOTHER PRODUCT AND
16 DIVERTED FROM THE LANDFILL -- AND ARE NOT
17 LANDFILLED WILL COUNT AS RECYCLED. THERE'S
18 CERTAINLY ROOM FOR INTERPRETATION THERE. AS I
19 SAY, THE LAST OPTION WOULD BE TO ONLY INCLUDE THE
20 EXPORTS AND DO NOT TREAT MATERIAL GOING TO THE
21 WASTE-TO-ENERGY FACILITY AS EITHER BEING DISPOSAL
22 OR AS BEING LANDFILLED.

23 CHAIRMAN CHESBRO: WELL, NOT TO START THE
24 DEBATE PREMATURELY HERE, BUT I JUST HAVE TO SAY
25 FOR THE RECORD THAT IT'S IMPOSSIBLE FOR ME TO

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 CONCEDE THAT WE WOULD TAKE THIS ONE LAW AND
2 COMPLETELY IGNORE THE CONTEXT OF OVERALL -- THE
3 FRAMEWORK OF THE CALIFORNIA INTEGRATED WASTE
4 MANAGEMENT LAW AND BEGIN TO VIEW INCINERATION AS
5 ON THE SAME LEVEL AS RECYCLING. I THINK WE WOULD
6 START A WHOLE NEW LEVEL OF CONFLICT OVER THIS
7 ISSUE. THAT'S -- SO FROM MY STANDPOINT, IT'S
8 REALLY NOT AN OPTION. THIS SEGMENT OF THE LAW MAY
9 BE CONSIDERED AMBIGUOUS, BUT I THINK IN OVERALL
10 CALIFORNIA LEGISLATION AND POLICY, THERE'S NO
11 AMBIGUITY WHATSOEVER.

12 MS. TRGOVCICH: MR. CHAIRMAN, NOT TO TAKE
13 AWAY FROM THE REMAINING PIECE OF BILL'S PRESEN-
14 TATION, BUT I THINK THAT WHAT WE TRIED TO DO IS
15 JUST LAY OUT FOR YOU THE RANGE OF OPTIONS TO GIVE
16 YOU, YOU KNOW, THE FULL RANGE OF FLEXIBILITY THAT
17 MAY EXIST.

18 IT IS STAFF'S RECOMMENDATION THAT,
19 BASED UPON CALIFORNIA INTEGRATED WASTE MANAGEMENT
20 ACT OF 1989 AND SUBSEQUENT LAW, THAT OPTION NO. 1
21 WOULD BE THE MOST APPROPRIATE INTERPRETATION.

22 CHAIRMAN CHESBRO: THANK YOU.

23 MR. HUSTON: SO FINALLY, THE STAFF
24 RECOMMENDATION BASICALLY IS TO -- WE'RE
25 RECOMMENDING THAT THE NATIONAL RESIN SALES NOT BE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 THE RIGHT-HAND SIDE OF THE 25-PERCENT LINE, IS THE
2 RANGE WE GET IF WE COUNT THE MATERIAL GOING TO THE
3 WASTE-TO-ENERGY FACILITY AS RECYCLED.

4 AND OPTION 3 IS THE OPTION WHERE WE DO
5 NOT CONSIDER THE MATERIAL GOING TO THE WASTE-TO-
6 ENERGY FACILITIES AS EITHER RECYCLED OR DISPOSED,
7 BUT RATHER WE HAVE SIMPLY INCLUDED THE AMOUNT OF
8 MATERIAL THAT WAS EXPORTED FOR DISPOSAL OUT OF
9 STATE AND ADJUSTED THE RANGE ACCORDINGLY.

10 ONE OTHER POINT THAT I THINK IS
11 INTERESTING TO NOTE IS THAT THERE ARE PORTIONS OF
12 THE RANGES THAT OVERLAP, AND THE COMMITTEE CAN
13 CERTAINLY CHOOSE ONE OF THESE OPTIONS OR CERTAINLY
14 THE ORIGINAL CASCADIA STUDY.

15 MS. TRGOVCICH: I'D JUST LIKE TO POINT OUT,
16 AS YOU TAKE A LOOK AT THOSE BARS ON THE CHART IN
17 FRONT OF YOU, THAT WHAT WE ATTEMPTED TO REPRESENT
18 FOR YOU IS THE RECALCULATION BASED UPON ONE OF THE
19 THREE OPTIONS AND THE CONFIDENCE INTERVAL THAT WAS
20 RECALCULATED THAT WAS ESTABLISHED THROUGH THE
21 CASCADIA STUDY.

22 SO WHAT THAT STUDY REPRESENTS IS -- OR
23 WHAT THOSE BARS REPRESENT IS THE RANGE IN WHICH,
24 IF YOU CHOOSE ONE OF THE OPTIONS, THAT THE RATE
25 MAY ACTUALLY FALL. IT COULD BE ANYWHERE, YOU

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 KNOW, WITHIN THOSE BARS THAT YOU SEE UP ON THE
2 CHART IN FRONT OF YOU. AND THUS, I THINK IT'S
3 VERY IMPORTANT THAT WHAT BILL POINTED OUT FOR YOU
4 AT THE CONCLUSION OF HIS PRESENTATION, THAT THERE
5 IS OVERLAP THAT EXISTS, AND SO WE NEED TO BE AWARE
6 OF THE STATISTICAL SIGNIFICANCE OF THIS INFOR-
7 MATION AS YOU LOOK AT THE RANGES ESTABLISHED BY
8 THE DIFFERENT INTERPRETATIONS.

9 CHAIRMAN CHESBRO: OKAY. MR. FRAZEE.

10 MEMBER FRAZEE: I'D LIKE TO FOLLOW UP A BIT
11 ON LOOKING AT THE OPTIONS OR THE RESULTS OF
12 VARIOUS ACTIONS IF WE ADOPT THE RANGE AS MEETING
13 THE REQUIREMENTS OF THE LAW. THERE IS AN OUTCOME
14 THERE, AND I WOULD SUGGEST A POSITIVE ONE, IF WE
15 FIND THAT THEY FAILED TO MEET THE 25-PERCENT,
16 THERE IS A SECOND RESULT. AND IF THE BOARD --
17 THIS COMMITTEE AND THE BOARD DOES NOTHING, THERE'S
18 A THIRD RESULT. AND I WONDER IF YOU COULD STEP
19 THROUGH THE --

20 MR. CHANDLER: I'D LIKE TO ASK COUNSEL TO
21 SPEAK TO THAT BECAUSE I THINK WE'RE REALLY TALKING
22 ABOUT WHAT ARE THE IMPLICATIONS FOR FOLLOW-UP,
23 PERHAPS ENFORCEMENT OR COMPLIANCE THIS BOARD WOULD
24 UNDERTAKE AS WE CONSIDER ADOPTING A RANGE VIS-A-
25 VIS A SPECIFIC NUMBER WITH, AS CAREN POINTED OUT,

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 WITH A PRETTY GOOD CONFIDENCE LEVEL, 90 PERCENT,
2 IF THE NUMBER FALLS SOMEWHERE WITHIN THAT RANGE.

3 MEMBER FRAZEE: THE KEY QUESTION IS IF WE
4 FIND THAT THE 25 PERCENT WAS NOT ACHIEVED OR, YOU
5 KNOW, THERE FAILS TO BE POSITIVE ACTION ON THAT
6 FINDING, JUST IN NOT DOING ANYTHING ELSE, DOES
7 THAT MEAN REJECTION OF THAT NUMBER?

8 MR. CHANDLER: UH-HUH.

9 MEMBER FRAZEE: AND DOES THAT ESTABLISH
10 SOME LOWER NUMBER?

11 MR. CHANDLER: RIGHT. THAT'S A FAIR
12 QUESTION.

13 MR. BLOCK: LET ME TRY AND GET STARTED ON
14 AN ANSWER, AND THEN YOU MAY WANT TO ASK ANOTHER
15 QUESTION OR TWO BECAUSE I DON'T WANT TO GET TOO
16 FAR AHEAD ON THIS.

17 IF -- WELL, OBVIOUSLY JUST TO GO
18 THROUGH THE SCENARIOS YOU GAVE, OBVIOUSLY IF THE
19 BOARD ADOPTS A RATE THAT'S 25 PERCENT OR OVER, IT
20 WILL PROVIDE COMPLIANCE AUTOMATICALLY, IF YOU
21 WILL, FOR MANUFACTURERS IN THE STATE BASED ON
22 STATUTE.

23 MEMBER FRAZEE: FOR THE YEAR 1995.

24 MR. BLOCK: FOR THE YEAR 1995.

25 MEMBER FRAZEE: DOES NOTHING FOR INCREASES

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 FOR '96 OR SUBSEQUENT YEARS.

2 MR. BLOCK: THAT'S CORRECT.

3 IF THE BOARD ADOPTS A RATE THAT IS
4 BELOW 25 PERCENT, FROM A STRICTLY LEGAL POINT OF
5 VIEW, WHAT THAT MEANS IS THAT THE COMPLIANCE
6 OPTION PROVIDED IN STATUTE FOR THE RECYCLING RATE
7 BEING 25 PERCENT IS NOT AVAILABLE. THERE'S THEN A
8 SUBSEQUENT DECISION THAT THE BOARD ULTIMATELY HAS
9 TO MAKE, WHICH IS ONCE THE RATE IS BELOW 25
10 PERCENT, DOES THE BOARD TAKE ANY ENFORCEMENT
11 ACTION. STATUTE AND REGULATIONS RIGHT NOW PROVIDE
12 THAT THE BOARD MAY TAKE ENFORCEMENT ACTION, BUT
13 DOES NOT REQUIRE THAT.

14 AND SO ONE OF THE ISSUES THAT'S BEEN
15 RAISED BY THE RANGES THAT WE'RE LOOKING AT AND THE
16 QUESTIONS ABOUT THE NUMBERS IS IF THE BOARD EITHER
17 ADOPTS A RANGE THAT, LET'S SAY, IS SOMEWHAT BELOW
18 AND SOMEWHAT ABOVE 25 PERCENT OR PERHAPS ADOPTS A
19 BELOW BUT CLOSE TO 25 PERCENT, THE BOARD COULD USE
20 THAT AS A BASIS FOR -- LOSING MY TRAIN OF THOUGHT.
21 RIGHT WORD. EXERCISING. THAT'S THE WORD --
22 EXERCISING ITS PROSECUTORAL DISCRETION, FOR LACK
23 OF A BETTER WORD, IN NOT TAKING ENFORCEMENT ACTION
24 BASED ON ITS -- NOT BASED ON THE FACT THAT THE
25 RATE AS BEEN NET, BUT BASED ON THE FACT THAT THE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 RATE IS NEAR THE 25-PERCENT NUMBER, AND THERE ARE
2 QUESTIONS ABOUT WHETHER THE NUMBER REALLY IS
3 ABOVE, BELOW, OR EXACTLY WHERE IT IS.

4 THERE'S A SUBTLE DISTINCTION THERE,
5 AND MAYBE I OUGHT TO STOP AND SEE IF THAT PROMPTS
6 A QUESTION OR NOT BECAUSE THERE'S A DIFFERENCE
7 BETWEEN SAYING THAT THE RATE HAS BEEN MET OR IT'S
8 EQUIVALENT TO BEING MET AND, THEREFORE, STATU-
9 TORILY COMPLIANCE IS MET VERSUS A BOARD
10 DISCRETIONARY DECISION, IF YOU WILL, THAT WHILE
11 IT'S UNCLEAR IF THE RATE HAS BEEN MET COMPLETELY
12 FOR STATISTICAL REASONS, IT'S NOT GOING TO TAKE
13 ENFORCEMENT ACTION.

14 MEMBER FRAZEE: THE REAL QUESTION IS, BASED
15 ON THE SCENARIO THAT WE HAVE NOW, THAT THE BOARD
16 HAS ONLY FIVE MEMBERS AND IT TAKES FOUR MEMBERS TO
17 DO SOMETHING, THE LACK OF THE BOARD DOING ANYTHING
18 AT ALL BECAUSE OF THE INABILITY TO GET FOUR
19 MEMBERS TO DO IT, WHERE DOES THAT LEAVE US?

20 MR. BLOCK: SO YOU'RE ASKING THE ISSUE OF
21 IF WE DON'T SET A RATE.

22 MEMBER FRAZEE: BY DEFAULT DOES THAT MEAN
23 THAT THERE IS NONCOMPLIANCE?

24 MR. BLOCK: IT GETS A LITTLE BIT MORE
25 COMPLICATED IF THE BOARD WERE TO NOT SET A RATE.

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 STRICTLY LEGALLY SPEAKING -- I THINK THIS WAS PART
2 OF THE ONE-SHEET EXPLANATION, I THINK, THAT WAS AN
3 ATTACHMENT TO THE MEETING A COUPLE MONTHS AGO.

4 STRICTLY SPEAKING, IF THE BOARD DOESN'T SET A
5 RATE, THAT COMPLIANCE OPTION IS NOT AVAILABLE FOR
6 MANUFACTURERS BECAUSE THE WAY THE STATUTE IS SET
7 UP, IF THE BOARD SETS A RATE AT 25 PERCENT OR
8 ABOVE, THAT'S A METHOD FOR COMPLYING WITH THE
9 REQUIREMENTS. IF THE BOARD HASN'T SET A RATE,
10 THAT -- STRICTLY LEGALLY SPEAKING, THAT OPTION IS
11 NOT THERE. BUT THE SAME ANALYSIS IN TERMS OF THE
12 BOARD ENFORCING AND EXERCISING ITS DISCRETION
13 WOULD BE PRESENT.

14 MEMBER FRAZEE: AND STATUTE REQUIRES THAT
15 THE RATE BE ESTABLISHED IN '95 AND SUBSEQUENT
16 YEARS ANNUALLY.

17 MR. BLOCK: THAT'S CORRECT.

18 CHAIRMAN CHESBRO: I WOULD LIKE TO POINT
19 OUT --

20 MEMBER GOTCH: IN THE SAME VEIN, MR. BLOCK,
21 WITH -- ALL RIGHT. SO THEN IF WE WERE TO ACCEPT,
22 SAY, OPTION 1 WHERE THE MEDIAN IS AT 24.7, WE HAVE
23 SOME ABOVE AND SOME BELOW, WHEN YOU ARE TALKING
24 ABOUT EXERCISING THE OPTION OF ENFORCEMENT OR NOT,
25 THEN WE ALSO HAVE THE ABILITY, I WOULD ASSUME, TO

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 EXERCISE ENFORCEMENT BECAUSE WE HAVE SOME THAT IS
2 FALLING BELOW THE 25 PERCENT. IN FACT, THE MEDIAN
3 IS FALLING BELOW THE 25 PERCENT.

4 MR. BLOCK: AND LET ME JUST ANSWER THIS
5 VERY CAREFULLY BECAUSE I WANT TO MAKE SURE I SAY
6 THIS THE CORRECT WAY. I'M USING THE PHRASE
7 "STRICTLY LEGALLY SPEAKING" VERY PURPOSELY.

8 STRICTLY SPEAKING, IF THE BOARD IS
9 ADOPTING A RATE BELOW 25 PERCENT, IT DOES HAVE THE
10 OPTION OF TAKING ENFORCEMENT ACTION.

11 I THINK ONE OF THE ISSUES THAT WAS
12 ALLUDED TO IN THE MATERIALS FOR THE JULY MEETING
13 WAS THAT FROM A -- WHILE THE LEGAL OFFICE MAY
14 INDICATE THAT YOU WOULDN'T BE PRECLUDED FROM
15 TAKING THAT ACTION, IF YOU ARE DEALING WITH A
16 SITUATION WHERE YOU HAVE A RATE THAT IS SUSPECT
AT
17 BEST, AND IT'S CLOSE TO THE 25 PERCENT, IF YOU
18 WERE ASKING THE LEGAL OFFICE'S RECOMMENDATION,
WE
19 WOULD RECOMMEND AGAINST TAKING THAT ENFORCEMENT
20 OPTION, BUT IT IS WITHIN THE BOARD'S DISCRETION
TO
21 DO SO.

22 AND THE REASON THAT I PHRASE IT
THAT

Please note: These transcripts are not individually reviewed and approved for accuracy.

23 WAY IS, AND WE DON'T HAVE TO GO INTO THE
DETAILS

24 OF EXACTLY WHAT FORUM THIS WOULD ULTIMATELY END
UP
25 BEING AND THE BOARD WOULD STILL ULTIMATELY HAVE
IN

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 SOME SENSE THE BURDEN OF PROVING, IN FACT, THAT
2 THE RATE WAS BELOW 25 PERCENT, AND AS HAS BEEN
3 INDICATED IN ALL THE DISCUSSIONS WE'VE HAD HERE,
4 WE HAVE SOME DIFFICULTY JUST IN THIS CONTEXT
5 FAIRLY CLEARLY SAYING THAT THE RATE IS BELOW 25
6 PERCENT. AND SO THAT DIFFICULTY IS MAGNIFIED IF
7 YOU ARE IN THE CONTEXT OF AN ENFORCEMENT ACTION.
8 BUT STRICTLY SPEAKING, WE CAN'T RULE OUT THAT THAT
9 OPTION IS THERE. THE OPTION IS THERE.

10 MEMBER GOTCH: THANK YOU.

11 MR. CHANDLER: I THINK MY RECOLLECTION OF
12 COLLEGE STATISTICS REMINDS ME THAT WHEN WE HAVE A
13 RANGE, TO USE YOUR EXAMPLE, MS. GOTCH, OF 23.3
14 PERCENT TO 25.9 PERCENT, THAT WHAT WE'RE SAYING IS
15 THAT WE HAVE A CONFIDENCE OF 90 PERCENT ASSURETY
16 THAT THE NUMBER FALLS WITHIN THAT RANGE, AND THAT
17 YOU HAVE 90-PERCENT CONFIDENCE THAT THE NUMBER IS
18 25.9, AND YOU HAVE 90-PERCENT CONFIDENCE THAT THE
19 NUMBER IS 23.3 AT ANY POINT IN BETWEEN. AND THAT
20 WE'RE NOT SIMPLY SAYING THAT THE CONFIDENCE LEVEL
21 JUMPS TO 95 PERCENT BY PICKING A MIDPOINT IN THAT
22 RANGE OR ANYTHING HIGHER.

23 THERE'S THE SAME LEVEL OF CONFIDENCE
24 THAT YOU ARE APPLYING TO THAT RANGE, THAT THE
25 NUMBER FALLS SOMEWHERE IN THERE. THAT'S THE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 CONFIDENCE INTERVAL THAT WE'RE DESCRIBING FOR EACH
2 ONE OF THESE OPTIONS, AND I THINK THE IMPORT YOU
3 SHOULD GIVE TO THAT RANGE, IF YOU WILL, AND THE
4 CONFIDENCE STATISTICAL NUMBER AROUND IT.

5 CHAIRMAN CHESBRO: SO THERE'S ESSENTIALLY
6 AN EQUAL CHANCE IT COULD BE ANY NUMBER IN BETWEEN
7 THOSE TWO.

8 MR. CHANDLER: CORRECT. THAT GETS TO WHY
9 LEGAL IS RECOMMENDING THAT IF YOU LOOK AT THIS
10 RANGE OR ANY ONE OF THESE, THAT TO THEN EMBARK ON
11 AN ENFORCEMENT STRATEGY BECAUSE YOU SOMEHOW
12 PERHAPS BELIEVE THAT IT'S MORE LIKELY THAT IT'S
13 BELOW 25 PERCENT COULD PUT THE BOARD IN THE
14 POSITION OF HAVING TO DEFEND WHY IT BELIEVES THE
15 CONFIDENCE LEVEL IS GREATER ON ONE SIDE OF THE
16 LINE THAN THE OTHER, AND THAT MIGHT BE A STRATEGY
17 THAT YOU WOULD HAVE TO THINK VERY CAREFULLY ABOUT
18 BEFORE WE PURSUE THAT.

19 CHAIRMAN CHESBRO: OKAY. THAT ANSWER THE
20 QUESTIONS?

21 I'VE ONLY GOT TWO REQUESTS, AND I KNOW
22 THERE'S MORE PEOPLE HERE THAT WANT TO TALK THAN
23 THESE TWO, BUT I'LL GO AHEAD AND CALL ON THEM
AND
24 REMIND EVERYBODY ABOUT THE FORMS IN THE BACK

Please note: These transcripts are not individually reviewed and approved for accuracy.

OF

25 THE ROOM.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 FIRST, I'D LIKE TO CALL ON WILLIAM
2 O'GRADY REPRESENTING TALCO PLASTICS.

3 MR. O'GRADY: THANKS VERY MUCH FOR THE
4 OPPORTUNITY. BASICALLY WHAT I'M HERE TO DO IS
5 MAYBE REITERATE TALCO'S POSITION AND JOHN SHEDD'S
6 POSITION AND MY OWN POSITION ON THE STUDY AND THE
7 CALCULATION FOR THE 1995 RATE.

8 I THINK IN THE OVERALL CONCLUSIONS
9 REACHED ON THIS, I GUESS, IN THE SEPTEMBER 25TH
10 MEETING IN FRONT OF THE FULL BOARD SHOULD
11 REALLY -- WE SHOULD BE LOOKING AT ALL THIS
12 INFORMATION IN ORDER TO OBTAIN A BETTER IDEA OF
13 HOW WE'RE GOING TO ACT FOR THE 1996 RATE OR WHAT'S
14 GOING TO BE ESTABLISHED AS A METHODOLOGY OR
15 BENCHMARK FOR 1996.

16 I THINK IT'S OUR POSITION OR TALCO'S
17 POSITION TODAY AND MAYBE THE POSITION OF MANY
18 OTHERS THAT WE FEEL THAT THE STAFF NEEDS TO
19 CONTINUE TO BECOME KNOWLEDGEABLE AND INDEPENDENT
20 IN REGARDS TO THE ISSUES CONCERNING RPPC. IT'S UP
21 TO THE STAFF REALLY TO COME UP WITH AN APPROPRIATE
22 MUTUALLY ACCEPTABLE METHODOLOGY FOR 1996, AND WE
23 FEEL IT HAS TO BE SOMEWHAT IN SHARP CONTRAST TO
24 THE EXISTING CASCADIA METHODOLOGY.
25 WHAT WITH THE RECENT DEVELOPMENTS

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 REGARDING 1155, I ALSO WOULD THINK THAT WE MUST
2 MAYBE REVISIT THE DEFINITION OF WHAT RPPC IS AND
3 NEEDS TO BE REVIEWED SO THAT WE ARE CERTAIN THAT
4 WE ARE CONSISTENT WITH THE INTENT OF THE LAW.

5 IT MIGHT BE ADVANTAGEOUS THAT, IN
6 LIGHT OF THIS DISCUSSION, IF STAFF AND BOARD CAN
7 TRULY DETERMINE THE 1996 METHOD FOR CALCULATION
8 NOW, WE SHOULD MAYBE TRY TO APPLY THAT TO THE 1995
9 RATE INSTEAD OF JUMPING TO THE 1995 RATE WHEN
10 THERE'S SUCH DISPARITY BETWEEN, LET'S SAY, A
11 NATIONAL SALES RATE AND THE CASCADIA RATE AND EVEN
12 THE OREGON RATE.

13 SO IT'S OUR SUGGESTION OR OUR CONCERN
14 THAT STAFF REALLY TAKE A MUCH MORE INDEPENDENT
15 POSITION HERE AND TRY TO ESTABLISH A METHODOLOGY
16 THAT WILL IN THEIR EYES, IN OUR EYES, AND THE REST
17 OF INDUSTRIES' EYES GIVE A REAL TRUE PICTURE OF
18 WHAT'S HAPPENING HERE IN CALIFORNIA.

19 I'M GOING TO ASK GARY DE LAURENTIIS TO
20 SPEAK ON BEHALF OF JOAN EDWARDS, WHO COULDN'T
21 ATTEND TODAY, BUT JOAN DOES SHARE THE SAME
22 CONCERNS. AND SHE HAS JUST COME BACK FROM
23 ASSOCIATION OF OREGON RECYCLERS. AND JUST AS A
24 POINT OF REFERENCE, IF I MAY, IT'S OF GRAVE
25 CONCERN TO THE OREGON RECYCLERS OVER THE PAST FEW

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 MONTHS THAT THE RECYCLING RATED IN OREGON HAS
2 DROPPED DRAMATICALLY AND THAT THE PET SITUATION IS
3 CRITICAL NOT ONLY IN OREGON, BUT AS WELL IN
4 CALIFORNIA.

5 THANKS VERY MUCH FOR THE OPPORTUNITY.

6 CHAIRMAN CHESBRO: THANK YOU. THE OTHER
7 SPEAKER WHO HAS SUBMITTED A FORM IS GARY DE
8 LAURENTIIS, REPRESENTING RECYCLING BY NATURE.

9 MR. DE LAURENTIIS: GOOD MORNING. I'M
10 ACTUALLY READING THIS FOR JOAN EDWARDS AS BILL
11 SAID. HER COMMENTS: I'VE READ THE DRAFT REPORT
12 DOCUMENT FAX'D TO INTERESTED PARTIES IN LATE
13 AUGUST AND APPRECIATE THE SUBSTANTIAL AMOUNT OF
14 WORK THAT STAFF HAS UNDERTAKEN IN THE SHORT TIME
15 PERIOD ON THIS ISSUE.

16 I DID HAVE SOME COMMENTS ON THE
17 MATERIAL, HOWEVER, WHICH WERE SENT BACK TO
STAFF.

18 THOSE COMMENTS ARE STILL RELEVANT TO THE FINAL
19 REPORT, AND I WOULD LIKE TO BRIEFLY REITERATE
THE

20 POINTS MADE IN MY LETTER TO STAFF, ESPECIALLY
21 REGARDING INCINERATION OF PLASTIC COUNTING AS
22 DISPOSAL AND WHAT THAT DOES TO THE NUMERATOR
EVEN

23 WITH THE APC'S NUMBERS.

Please note: These transcripts are not individually reviewed and approved for accuracy.

24 I BELIEVE THE ADDITIONAL INFORMATION
25 ON WASTE EXPORTS AND INCINERATION ARE SUFFICIENT

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 TO WARRANT A DECISION THAT THE DIVERSION RATE IS
2 BELOW 25 PERCENT EVEN WITHOUT THE BENCHMARK
3 COMPARISON EVALUATION. WHATEVER DECISION --
4 WHATEVER YOUR DECISION HERE TODAY AND AT THE NEXT
5 BOARD MEETING, I HOPE TWO LESSONS HAVE BEEN
6 LEARNED. GIVEN THE APPEARANCES OF CONTROL BY A
7 REGULATED INDUSTRY OVER A COMPLIANCE REVIEW
8 PROCESS, IT IS INAPPROPRIATE AND WILL ALWAYS CAST
9 A CLOUD OVER THE BOARD'S DECISION.

10 SECOND, MARKET DEVELOPMENT STAFF MUST
11 TAKE A MORE PRODUCTIVE STANCE AND BECOME
12 SUFFICIENTLY EXPERT ON INDUSTRY TRENDS AND DATA
13 THAT IT CAN OFFER INDEPENDENT ASSESSMENTS ON THE
14 MANY ISSUES WHICH COME BEFORE YOU.

15 THANK YOU VERY MUCH.

16 CHAIRMAN CHESBRO: THANK YOU. MARK MURRAY
17 REPRESENTING CALIFORNIANS AGAINST WASTE.

18 MR. MURRAY: MR. CHAIRMAN, MEMBERS, MARK
19 MURRAY OF CALIFORNIANS AGAINST WASTE. AND
20 APPRECIATE THE TIME THAT THE BOARD AND THE STAFF
21 HAVE PUT INTO THIS ISSUE. FRANKLY, FOR THE LAST
22 SEVERAL MONTHS, I'VE BEEN VERY FOCUSED ON THE
23 NUMBER AS OPPOSED TO A RANGE. AND I THINK THAT,
24 FRANKLY, THE STAFF'S DILIGENCE IN TERMS OF TRYING
25 TO WINNOW DOWN THAT NUMBER IS, FRANKLY, UNDER THE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 CIRCUMSTANCES, TO BE APPLAUDED.

2 I THINK THAT STAFF HAS DONE, GIVEN THE
3 FACT THAT THERE'S BEEN COMPETING INTERESTS ON BOTH
4 SIDES, DONE A REAL GOOD JOB OF TRYING TO COME UP
5 WITH A GOOD NUMBER. UNFORTUNATELY, I THINK THAT
6 AS WAS JUST YOUR DISCUSSION EARLIER, THAT I'M NOT
7 SURE THAT THERE'S A GREAT DEAL OF CONFIDENCE IN
8 ANY NUMBER OR ANY RANGE OF NUMBERS AT THIS TIME.
9 AND WHILE IT APPEARS THAT THE BEST-CASE SCENARIO
10 RIGHT NOW IS THAT THE RECYCLING RATE IS SOMEWHAT
11 BELOW 25 PERCENT, BASED ON A RECOGNITION THAT
12 EXPORTED WASTE AND INCINERATED WASTE IS, IN FACT,
13 DISPOSAL, THAT ONE COULD MAKE THE CASE THAT IT'S
14 TIME FOR THE BOARD TO START ENFORCING THE LAW,
15 RECOGNIZE THAT A LESS THAN 25-PERCENT RATE HAS
16 BEEN ACHIEVED, AND BEGIN ENFORCEMENT OF THE LAW.

17 HOWEVER, WHERE WE STAND WITH THE LAW
18 IN TERMS OF LEGISLATIVE ACTION, IT SEEMS TO ME
19 THAT THAT MIGHT NOT BE THE MOST PRODUCTIVE ACTION
20 AT THIS TIME. AND I GUESS I WOULD ENCOURAGE THE
21 BOARD CLEARLY THIS LAW AND THE ABILITY TO ENFORCE
22 THIS LAW WAS INTENDED TO BE A MOTIVATOR TO
23 MOTIVATE THE DEVELOPMENT OF MARKETS FOR RECYCLED
24 PLASTIC. AND IT APPEARS THAT THE LEGISLATURE HAS
25 VOTED TO TAKE THAT TOOL AWAY. AND SO IT SEEMS TO

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 ME THAT THE BOARD'S CHALLENGE NOW IS EVEN GREATER
2 THAN IT WAS IN TERMS OF TRYING TO WORK TO DEVELOP
3 MARKETS AND INCREASE THE RECYCLING FOR PLASTIC
4 CONTAINERS.

5 SO UNFORTUNATELY I WISH I COULD SAY
6 THAT THE PATH IS CLEAR, A 25-PERCENT RECYCLING
7 RATE FAILED TO BE ACHIEVED, AND THE BOARD SHOULD
8 GO FORWARD AND ENFORCE THE LAW, BUT UNFORTUNATELY
9 I CAN'T SAY THAT IT'S CLEAR. I DON'T KNOW THAT
10 THE BOARD CAN CONFIDENTLY SAY AND DEFEND THE FACT
11 THAT A 25-PERCENT RATE HASN'T BEEN ACHIEVED. AND,
12 THEREFORE, I THINK THAT THE BOARD WOULD BE BEST
13 SERVED BY FOCUSING ITS ENERGY AND RESOURCES IN
14 ACTUALLY WORKING TO DEVELOP MARKETS FOR RECYCLED
15 PLASTICS AND PROMOTING THE RECYCLE OF PLASTICS IN
16 A WORLD WHERE WE MAY -- IT'S VERY LIKELY THAT WE
17 WON'T HAVE A RIGID PLASTIC CONTAINER RECYCLING LAW
18 FOR MOST OF THE PLASTIC CONTAINERS OUT THERE.

19 CHAIRMAN CHESBRO: AT LEAST UNTIL THE
20 PUBLIC FIGURES OUT WHAT HAPPENED AND GETS REALLY
21 ANGRY ABOUT IT.

22 MR. MURRAY: WELL, I THINK THAT, IN FACT,
23 IS A POSSIBILITY. I THINK THAT THE CHALLENGE FOR
24 ALL OF US IS GOING TO BE, FRANKLY, TO KEEP
25 MUNICIPALITIES AND TO KEEP PRIVATE CURBSIDE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 RECYCLING PROVIDERS INTERESTED IN PLASTIC
2 CONTAINER RECYCLING.

3 CHAIRMAN CHESBRO: YEAH. I THINK THAT --
4 I'M SORRY TO KEEP INTERRUPTING, MARK, BUT I THINK
5 THAT IN TURN WILL TRIGGER SOME OF THE PUBLIC
6 REACTION I'M TALKING ABOUT BECAUSE I THINK THE
7 PUBLIC HAS HAD THE IMPRESSION BECAUSE HAULERS AND
8 LOCAL GOVERNMENTS HAVE WORKED SO HARD TO PROVIDE
9 COLLECTION, THAT PLASTIC RECYCLING WAS DEVELOPING.

10 AND WHEN THAT SERVICE BEGINS TO GO
11 AWAY, THEY'LL BEGIN TO ASK QUESTIONS AND SAY,
12 "WELL, WE THOUGHT THAT PLASTIC RECYCLING WAS
13 EXPANDING AND BECOMING MORE AVAILABLE." AND I
14 THINK THEN THE BACKLASH WILL BEGIN TO SET IN, AND
15 THE INDUSTRY WILL BEGIN TO REALIZE THAT RATHER
16 THAN WORKING WITH THIS LAW AND THIS PROGRAM TO
17 MAKE SOMETHING MEANINGFUL HAPPEN, THAT THEY'VE
18 RESISTED IT AND THAT THEY'RE GOING TO PAY A PRICE
19 FOR THAT EVENTUALLY.

20 MR. MURRAY: I'M AFRAID YOU ARE CORRECT.
21 I'M AFRAID THAT THIS IS GOING TO BE A SETBACK.
22 FRANKLY, IT'S NOT JUST THIS MEASURE. I MEAN
23 THERE'S OTHER EVIDENCE THAT THE PLASTICS
INDUSTRY

24 IS REMOVING THEIR SUPPORT FOR PLASTICS

Please note: These transcripts are not individually reviewed and approved for accuracy.

RECYCLING,
25 THAT PRODUCT MAKERS ARE REMOVING THEIR
SUPPORT FOR

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 PLASTICS RECYCLING. AND SO IT'S GOING TO BE,
2 FRANKLY, THE CHALLENGE OF RECYCLING ADVOCACY
3 GROUPS, NONPROFIT ORGANIZATIONS, AND THE BOARD TO
4 TRY AND KEEP SOME LEVEL OF HOPE ALIVE FOR PLASTIC
5 RECYCLING.

6 AND OUR TASK IS GOING TO BE MADE THAT
7 MUCH MORE DIFFICULT, WHICH IS WHY MY RECOMMEN-
8 DATION, MY ADVICE TO THE BOARD IS RATHER THAN
9 PURSUE THIS NUMBER CRUNCHING DEBATE FURTHER FOR
10 1995, RATHER THAN ATTEMPT TO ENFORCE THE LAW,
11 WHILE RECOGNIZING THAT A 25-PERCENT RATE HAS NOT
12 BEEN ACHIEVED, THAT OUR MUTUAL RESOURCES WOULD BE
13 BETTER SPENT TRYING TO KEEP SOME HOPE OF PLASTICS
14 RECYCLING ALIVE. THANKS.

15 CHAIRMAN CHESBRO: THANKS. OKAY. NEXT I'D
16 LIKE TO CALL ON RON PERKINS REPRESENTING APC.

17 MR. PERKINS: THANK YOU. I APPRECIATE THE
18 OPPORTUNITY TO MAKE WHAT I HOPE WILL JUST BE A FEW
19 BRIEF COMMENTS FOLLOWING THE LEAD OF OTHERS HERE
20 TODAY.

21 STAFF HAS -- THE CIWMB STAFF HAS
22 CONDUCTED AN INDEPENDENT ANALYSIS OF THE USE OF
23 NATIONAL RESIN SALES AS A BENCHMARK OF THE 1995
24 RECYCLING RATE AND DETERMINED THAT THIS DATA
25 CANNOT BE ADEQUATELY USED FOR THIS PURPOSE. THE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 APC HAS CONSISTENTLY HELD THIS POSITION.

2 FURTHER, AT THE SAME MEETING IN UKIAH,
3 STAFF WERE DIRECTED TO ADDRESS ALL ISSUES RAISED
4 BY THE RRAC AND INTERESTED PUBLIC. IN THE
5 JUDGMENT OF APC, STAFF HAS FULLY RESPONDED TO THE
6 ISSUES RAISED, AND APC CONCURS IN THE RESPONSES OF
7 THE STAFF.

8 I WOULD JUST MAKE A COUPLE COMMENTS IN
9 RESPONSE TO A COUPLE OF THE ITEMS THAT WERE JUST
10 PRESENTED TO YOU. ONE BY MR. O'GRADY. I ATTENDED
11 THE SAME AOR, ASSOCIATION OF OREGON RECYCLERS,
12 CONFERENCE IN SEASIDE LAST WEEKEND, WHICH I HAVE
13 DONE FOR THE PAST TEN YEARS AND KNOW MOST OF THE
14 PEOPLE WHO ARE THERE IN OREGON.

15 I WAS SURPRISED TO HEAR THE STATEMENT
16 THAT THE PLASTICS RECYCLING RATE HAS INCREASED
17 BECAUSE -- HAS DECREASED. JUST TWO DAYS BEFORE
18 THE CONFERENCE, PAT VERNON, WHO I THINK MANY OF
19 YOU KNOW, WITH THE DEQ CALLED ME TO LET ME KNOW
20 THAT BECAUSE IT IS QUITE EVIDENT THAT THE PLASTICS
21 RECYCLING RATE IS INCREASING IN OREGON, AND HAVING
22 MET THE RATE BY A SUBSTANTIAL MARGIN IN THE
23 PREVIOUS TWO YEARS, IT WAS THE DEQ'S INTENTION
24 THIS YEAR NOT TO DEVOTE RESOURCE TO DOING, AS MARK
25 CALLED IT, NUMBER CRUNCHING, BUT TO DO BASICALLY A

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 SUBJECTIVE, QUALITATIVE ANALYSIS TO JUST ENSURE
2 THE PUBLIC THAT, YES, INDEED PLASTICS RECYCLING IS
3 INCREASING, AND IT IS EXPECTED TO INCREASE MORE.

4 I WOULD JUST BRING TO YOUR ATTENTION,
5 IN SUPPORT OF THE EFFORTS OF WHAT THE APC AND
6 OTHERS ARE DOING, IN OREGON THEY'RE USING THE
7 PLASTICS RECOVERY FACILITY THAT YOU ARE AWARE OF
8 IN SALEM TO INVESTIGATE THE POSSIBILITY OF
9 SEPARATING OUT THE REST OF THE RIGID PLASTIC
10 CONTAINERS HERE IN CALIFORNIA AS WELL AS IN
11 OREGON. PLASTICS RECYCLING HAS BEEN PRETTY MUCH
12 LIMITED TO BOTTLES. AND WE ARE HAVING ONGOING
13 EFFORTS TESTING OUT TECHNOLOGY AND MARKETS FOR
14 THOSE.

15 SO THE FACTS IN OREGON ARE THAT THE
16 PLASTICS RECYCLING RATE IS INCREASING. YOU WILL
17 SEE THE NEW RATE THAT COMES OUT INCREASING, AND
18 THE EFFORTS OF THE INDUSTRY ARE INCREASING AS
19 WELL.

20 MY LAST COMMENT, AGAIN ON OREGON,
21 BECAUSE I KNOW JOHN SHEDD HAS BROUGHT IT UP
22 SEVERAL TIMES AND MR. O'GRADY DID AS WELL, A
23 REFERENCE TO IF YOU USE THE OREGON NUMBERS, YOU
24 WOULD COME OUT WITH I THINK THE NUMBER THAT JOHN
25 HAS SHOWN IN THE PAST WERE APPROXIMATELY 20

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 PERCENT, THERE WERE TWO FLAWS IN THAT ANALYSIS.
2 ONE WAS MR. SHEDD USED THE 1996 NUMBERS FOR OREGON
3 AND TRIED TO USE THEM FOR THE 1995 IN CALIFORNIA
4 AND MADE A COMPARISON ASSUMING THAT OREGON RPC'S
5 WERE THE SAME AS CALIFORNIA RPPC'S. AND IN
6 CALIFORNIA RPPC'S DO NOT INCLUDE AS EXTENSIVE A
7 UNIVERSE.

8 THE BOTTOM LINE IS THAT THE GENERATION
9 NUMBER THAT MR. SHEDD CAME UP WITH OF -- I THINK
10 HE HAD 350,000 TONS IS REALLY ONLY ABOUT 320,000
11 TONS. AND IF YOU USE THE ANALYSIS AS PROPOSED BY
12 MR. SHEDD, IT WOULD SAY THAT THE CALIFORNIA RATE
13 IS 24.4. SO WITH THAT, I DON'T HAVE ANY MORE
14 COMMENTS, AND I'D BE HAPPY TO RESPOND TO ANY
15 QUESTIONS THAT ANY OF YOU MAY HAVE.

16 CHAIRMAN CHESBRO: ANY QUESTIONS AT THIS
17 POINT? NO. THANK YOU VERY MUCH. NEXT I'D LIKE
18 TO CALL ON MR. SCOTT REPRESENTING CASCADIA
19 CONSULTING.

20 MR. SCOTT: MR. CHAIRMAN, MEMBERS OF THE
21 COMMITTEE, THANKS FOR THE OPPORTUNITY TO AGAIN
22 ADDRESS YOU ON THE TOPIC OF RPPC RECYCLING IN
23 CALIFORNIA. IT'S CHARLIE SCOTT. I'M WITH
24 CASCADIA CONSULTING GROUP.

25 FIRST OF ALL, I'D LIKE TO COMPLIMENT

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 THE STAFF ON, I THINK, A FINE ANALYSIS AND A GOOD
2 PROCESS THAT HAS BEEN UNDERTAKEN HERE TO LOOK AT
3 ALL THE ISSUES AND PROVIDE A FAIR, OBJECTIVE
4 ASSESSMENT. I THINK YOU GUYS DID A GOOD JOB.

5 WHAT I'D LIKE TO DO, WITHOUT GOING
6 BACK OVER ALL THE NUTS AND BOLTS AND DETAILS OF
7 OUR APPROACH THOUGH, IS JUST IMPRESS UPON YOU THAT
8 OUR APPROACH TO THE SAMPLING TO THE DESIGN WAS
9 STATISTICALLY VALID, THAT WE RIGOROUSLY EXECUTED
10 THE METHODOLOGY IN THE FIELD AS OBSERVED BY STAFF,
11 AND THAT THE RESULTS YOU ENDED UP WITH ARE
12 EXTREMELY PRECISE AND, IN FACT, DO BENCHMARK WITH
13 THE DATA THAT WE HAVE AVAILABLE FOR BENCHMARKING
14 PURPOSES.

15 I WANT TO TALK A LITTLE BIT ABOUT THE
16 RESULTS ABOUT THE PERCENTAGES AND SOME OF THE
17 BENCHMARKS AND ALSO THE OPTIONS AND MY ASSESSMENT
18 OF THOSE OPTIONS, WHICH IS VERY SIMILAR TO THE
19 STAFF'S ASSESSMENT OF THOSE OPTIONS. BUT FIRST OF
20 ALL -- FIRST OF ALL, I'D LIKE TO TALK ABOUT WHY
21 WASTE STREAM CHARACTERIZATION OR WHY WASTE STREAM
22 SAMPLING.

23 IF YOU WANT TO KNOW WHAT'S DISPOSED IN
24 THE WASTE IN CALIFORNIA, YOU SHOULD GO TO THE
25 POINT OF DISPOSAL AND MEASURE IT, AND THAT'S

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 EXACTLY WHAT WE DID. SINCE YOU CAN'T HOPE TO GET
2 THE LEVEL OF PRECISION OR ACCURACY RELYING ON
3 SECONDARY DATA, I WOULD BE VERY UNCOMFORTABLE
4 USING RESIN SOLD IN THE U.S. TO PROJECT DISPOSAL
5 IN CALIFORNIA.

6 AND ALSO, THE OTHER THING THAT I THINK
7 REALLY CONCERNS ME MOST ABOUT THIS APPROACH OR THE
8 INSISTENCE ON THE CREDIBILITY OF THIS BENCHMARK IS
9 THAT WE'RE CONSIDERING THAT THE NATIONAL SALES
10 DATA IS AN ABSOLUTE NUMBER WHEN, IN FACT, IT'S
11 BASED ON SOMEONE ELSE'S SURVEY OF DATA THAT DIDN'T
12 ASK ANY QUESTIONS ABOUT RPPC'S, MUCH LESS RPPC'S
13 IN CALIFORNIA. SO IT'S DIFFICULT TO EQUATE THE
14 SECONDARY NATIONAL DATA THAT DIDN'T EVEN ADDRESS
15 RPPC'S WITH A RIGOROUS STATISTICALLY VALID AND
16 EXTENSIVE APPROACH TO WASTE STREAM SAMPLING.

17 OTHERS, I MIGHT ADD, HAVE ENDORSED
18 THIS METHOD. IT WAS RECOMMENDED BY THE WORKING
19 GROUP THAT DEVELOPED THE UNIFORM METHOD FOR
20 CONDUCTING WASTE CHARACTERIZATION STUDIES IN
21 CALIFORNIA THAT YOU APPROVED MAY 3D. THAT
22 METHODOLOGY RECOMMENDS WASTE STREAM SAMPLING NOT
23 USING NATIONAL DATA. IT'S NOT AN EXPERIMENTAL
24 DRUG. IT'S USED BY OTHER CITIES, LOCALITIES,
25 MUNICIPALITIES, ALL THE STATES TO DETERMINE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 RECYCLING RATES. ENDORSED BY THE U.S. EPA AS A
2 METHOD OF DETERMINING RECYCLING RATES.

3 OREGON HAS USED IT. I THINK YOU GOT
4 ENDORSEMENT FROM JERRY POWELL IN OREGON, AND ALSO
5 THERE'S BEEN MUCH DISCUSSION OF FRANKLIN AND
6 ASSOCIATES, AND THEY HAVE ALSO SUBMITTED A LETTER,
7 WHICH SAYS THAT, PARTICULARLY WHEN DOING WASTE
8 CHARACTERIZATION OR COMPOSITION ESTIMATES AT A
9 STATE OR LOCAL LEVEL, AND EVEN MORE IMPORTANTLY
10 WHEN YOU'RE LOOKING AT A SMALL COMMODITY OR A
11 FRACTION OF THE WASTE STREAM, THE STATISTICALLY
12 VALID WASTE COMPOSITION STUDIES ARE THE WAY TO GO.

13 WITH THAT, I'D LIKE TO TURN TO
14 RESULTS. AND I ALSO WILL TRY TO RUN THROUGH THIS
15 RELATIVELY QUICKLY. BUT YOU'RE FAMILIAR WITH THE
16 RESULTS NOW OF .71 OR PLUS OR MINUS .05 PERCENTAGE
17 POINTS. MR. CHANDLER STATED IT VERY WELL. WHAT
18 THIS MEANS IS THAT WE ARE 90 PERCENT SURE THAT THE
19 TRUE PERCENTAGE OF DISPOSED RPPC'S IS WITHIN PLUS
20 OR MINUS .05 OF ONE PERCENTAGE POINT. THAT'S
21 PRETTY GOOD DATA. TOUGH TO ARGUE WITH, WHICH
22 MEANS THAT RPPC DISPOSAL IS BETWEEN .66, .76 OF 1
23 PERCENT. THIS IS NOT AN ACCIDENT.

24 WE CONVINCED APC TO INVEST IN 900
25 SAMPLES, WHICH IS A LOT OF SAMPLES, SO THAT WE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 WOULD GET THIS PRECISE OF DATA SO THAT WE WEREN'T
2 ENDING UP WITH A STUDY THAT SAID THE RECYCLING
3 RATE WAS SOMEWHERE BETWEEN 18 AND 32 PERCENT,
4 WHICH WOULD BE PRACTICALLY USELESS. WE PROBABLY
5 WOULD HAVE ALL GUESSED IT WAS THERE SOMEWHERE.

6 AT ANY RATE, PRECISE RESULTS AND THE
7 RESULTS HAPPEN TO BENCHMARK QUITE WELL WITH THE
8 ONE NUMBER THAT WE SEEM TO HAVE IN CALIFORNIA,
9 WHICH IS, FOR TO BE A RELIABLE NUMBER, THAT'S THE
10 DEPARTMENT OF CONSERVATION ESTIMATE OF CRV --

11 MR. CHANDLER: MR. SCOTT, COULD YOU FOCUS
12 THAT IN SO WE CAN SEE A LITTLE BETTER ON THE --
13 WHEN I SAY FOCUS IT, PULL THE ZOOM OR WHATEVER WE
14 CALL THAT SO THAT WE CAN SEE IT ON OUR MONITORS A
15 LITTLE BETTER.

16 MR. SCOTT: I MIGHT ADD THAT I HAVE JOAN
17 EDWARDS TO THANK FOR HAVING THIS BENCHMARK
18 AVAILABLE BECAUSE WHEN WE WENT THROUGH THE RRAC
19 WORKING GROUP PROCESS, SHE SUGGESTED OR, MORE
20 CORRECTLY, PROBABLY INSISTED THAT WE INCLUDE
21 PET -- EVEN THOUGH WE KNEW THAT WE HAD THAT
NUMBER

22 AVAILABLE, THAT WE INCLUDE PET BOTH IN THE
WASTE

23 COMPOSITION STUDY AND ALSO IN THE NUMERATOR AND

Please note: These transcripts are not individually reviewed and approved for accuracy.

24 DEVELOP A RECYCLING RATE FOR IT SO THAT, IN
FACT,
25 WE WOULD HAVE A BENCHMARK WHEN WE WERE COMPLETE
TO

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 SEE HOW WELL WE DID.

2 AS YOU CAN SEE, IF YOU COMPARE THE
3 DOC, DEPARTMENT OF CONSERVATION, NUMBER OF 51.4
4 WITH OUR 55 TO 56,000 TONS, DEPENDING UPON WHICH
5 OF THE THREE OPTIONS YOU CHOOSE TO SELECT, THAT
6 NUMBER IS FAIRLY CLOSE. IF ANYTHING, WE OVER-
7 ESTIMATED THE AMOUNT OF PET WHICH IS DISPOSED. BY
8 COMPARISON OR BY CONTRAST, USING NATIONAL RESIN
9 SALES DATA, WHICH WOULD GIVE YOU 89,000, ALMOST
10 90,000 TONS, CONSIDERABLY MORE THAN THE 51,000
11 WHICH THE DEPARTMENT OF CONSERVATION CONTENTS IS
12 GENERATED WITHIN THE STATE OF WASHINGTON -- I MEAN
13 WITHIN THE STATE OF CALIFORNIA AND WHICH MOST
14 FOLKS AGREE WITH.

15 ONE OTHER INTERESTING BENCHMARK IS
16 LOOKING AT THE STATE OF OREGON. WE SEEM TO MAKE
17 LOTS OF COMPARISONS WITH THE STATE OF OREGON, AND
18 I THINK ONE OF THE BEST ONES IS TO LOOK AT THE
19 RESULTS OF WASTE SAMPLING AND RECYCLING SURVEY
20 SIDE BY SIDE WITH NATIONAL RESIN SALES DATA TO
21 DETERMINE A RATIO OR THE PERCENT OF WHAT'S
22 ACTUALLY MEASURED TO THE AMOUNT THAT IT WOULD BE
23 ALLOCATED TO THE STATE WHEN YOU PRORATE BASED ON
24 POPULATION.

25 WHAT YOU FIND IS IN OREGON THE WASTE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 SAMPLING THERE AND THE RECYCLING SURVEY CONDUCTED
2 BY THE STATE CAME UP WITH 31,300 TONS. IF YOU
3 PRORATED NATIONAL SALES, YOU GET 44,000 TONS FOR A
4 RATIO OF 70 PERCENT, WHICH SAYS THAT IF YOU
5 ACTUALLY GO OUT AND MEASURE WHAT'S RECYCLED AND
6 WHAT'S DISPOSED, THE RELATION TO NATIONAL SALES
7 DATA IS THAT YOU ACTUALLY HAVE GENERATED WITHIN
8 THE STATE 70 PERCENT OF WHAT NATIONAL SALES DATA
9 WOULD TELL YOU THAT WAS PRORATED THERE BASED ON
10 POPULATION.

11 SO WE HAVE THE BEGINNING OF A
12 RELATIONSHIP BETWEEN WHAT'S ACTUALLY DISPOSED AND
13 RECYCLED AND NATIONAL SALES DATA BEING PRORATED.
14 WHAT'S INTERESTING IS THAT THAT WAS THE ONLY PIECE
15 OF DATA LIKE THAT THAT I'M AWARE OF IN THE
16 COUNTRY, BUT WHAT'S MORE INTERESTING IS WHEN WE
17 TOOK THE RESULTS OF THE CALIFORNIA STUDY, COMPARED
18 WASTE SAMPLING TO NATIONAL RESIN SALES DATA, WE
19 COME UP WITH A RATIO THAT'S VERY SIMILAR, 75
20 PERCENT. AGAIN, VERY CLOSE TO THE RELATIONSHIP WE
21 FOUND IN OREGON BETWEEN WHAT'S ACTUALLY RECYCLED
22 AND DISPOSED AND WHAT WE FIND BY USING NATIONAL
23 DATA AND PRORATING IT BASED ON POPULATION.

24 WHAT THIS TELLS ME IS WE'RE IN THE
25 BALLPARK. I'M COMFORTABLE. AND FOR SURE THE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 RECYCLING RATE IS NOT 75 PERCENT OR 15 PERCENT.

2 CHAIRMAN CHESBRO: HOWEVER, IF YOU FIGURE
3 THAT IT'S APPROXIMATELY, YOU KNOW, A THIRD TO A
4 QUARTER HIGHER, YOU KNOW, YOU ARE STILL -- THERE'S
5 STILL A QUESTION OF WHETHER OR NOT IT WOULD AFTER
6 BEING ADJUSTED BRING IN 25 PERCENT. THAT'S BEEN
7 THE ISSUE. AFTER YOU ADJUSTED THE NATIONAL NUMBER
8 BASED ON, LET'S SAY, ON THIS RATIO --

9 MR. SCOTT: IF YOU GET THE DEFINITIONS
10 STRAIGHT, YOU'RE LOOKING AT NATIONAL DATA THAT'S
11 CLOSER TO 20 PERCENT. AND YOU ADJUST IT BASED ON
12 A THIRD, YOU'RE OVER 25 PERCENT. SO I WOULD
13 CONTEND IF YOU TOOK NATIONAL DATA AND CORRECTLY
14 ADJUSTED AND ALLOCATED IT, YOU'D END UP WITH A
15 RECYCLING RATE GREATER THAN 25 PERCENT.

16 SO THE LAST SLIDE ARE THE RECYCLING
17 RATE RANGES. AGAIN, WE DID A SIMILAR EXERCISE
18 THAT WAS UNDERTAKEN BY STAFF. WE TOOK THE
19 DISPOSAL, APPLIED OUR CONFIDENCE INTERVALS, CAME
20 UP WITH A RANGE OF DISPOSAL UNDER EACH OF THE
21 THREE OPTIONS, AND THEN CALCULATED A RECYCLING
22 RATE. AND THERE'S REALLY THREE CONCLUSIONS HERE.
23 NONE OF THE NUMBERS ARE STATISTICALLY DIFFERENT
24 BECAUSE WE HAVE THE OVERLAPPING CONFIDENCE
25 INTERVALS. 25 PERCENT IS INCLUDED IN ALL THOSE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 OPTIONS. AND I'M -- FINALLY, WE SIMPLY CANNOT SAY
2 THAT A 25-PERCENT RATE HAS NOT BEEN MET.

3 THAT CONCLUDES MY REMARKS. BE HAPPY
4 FOR ANY DISCUSSION, ADDRESS ANY QUESTIONS.

5 CHAIRMAN CHESBRO: ANY QUESTIONS? THANK
6 YOU.

7 MR. SCOTT: THANK YOU AGAIN.

8 MEMBER FRAZEE: THAT'S --

9 CHAIRMAN CHESBRO: THAT'S ALL THE SPEAKERS
10 THAT WE HAVE REQUESTS FROM, AND I HAVE SOME
11 COMMENTS I WOULD LIKE TO MAKE.

12 MEMBER GOTCH: COULD I ASK A QUESTION OF
13 STAFF BEFORE YOU DO THAT IF I MAY? IN ADMIN
14 COMMITTEE ON TUESDAY, WE HAD AN AGENDA ITEM THAT
15 WAS THE UPDATE OF THE STATUS OF THE OUT-OF-STATE
16 WASTE EXPORT. AND THE NUMBER IN THERE -- AND WHAT
17 I'M DOING IS COMPARING IT TO THE FINDINGS, BILL.

18 MR. HUSTON: WE HAD REDONE THE CALCULATION.
19 WE INCREASED THE AMOUNT FROM 265,000 TO 276,000.
20 SO THE NUMBER THAT IS IN YOUR HANDOUT IS THE
21 NUMBER WE USED FOR OUR CALCULATION.

22 MEMBER GOTCH: OKAY. BUT IN THE AGENDA
23 ITEM FROM ADMIN, THE NUMBER IS 406,400 FOR THE
24 '95-'96 FISCAL YEAR. IT'S A LITTLE BIT OF A
25 DIFFERENCE.

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 MS. TRGOVCICH: WE CAN GO BACK AND CHECK
2 THAT. IT'S MY UNDERSTANDING -- AND WE GOT THESE
3 FIGURES DIRECTLY FROM THE POLICY OFFICE THAT
4 PREPARED THAT ITEM -- THAT THE DIFFERENCE IN THE
5 FIGURES MAY BE THE TONNAGE THAT IS BEING EXPORTED
6 WHICH THERE IS NOT A SPECIFIC CONTRACTUAL
7 RELATIONSHIP, SO IT'S HARD TO TRACK. IT'S HARD TO
8 TELL WHAT IS ACTUALLY GOING, AND IT'S A FLUID
9 TONNAGE. IT'S, YOU KNOW, DO WE GO OUT OF STATE?
10 DO WE GO TO ARIZONA TODAY? DO WE GO TO ARIZONA
11 NEXT MONTH?

12 WE'LL FOLLOW UP ON THAT, BUT WE
13 RECEIVED THOSE FIGURES AS HARD FIGURES DIRECTLY
14 FROM THE POLICY OFFICE THAT PREPARED THE ITEM, SO
15 WE ATTEMPTED TO COORDINATE THE FIGURES.

16 MEMBER GOTCH: ALL RIGHT. IF YOU GET BACK
17 ON THAT. THANK YOU.

18 CHAIRMAN CHESBRO: I'D LIKE TO POINT OUT
19 THAT WHEN THE BOARD DIRECTED, AND WAS NEVER DONE,
20 INCIDENTALLY, THAT A BENCHMARK BE CREATED WAS NOT
21 ON THE ASSUMPTION THAT THAT WOULD NECESSARILY BE
22 THE BETTER NUMBER. AND SO WE NOW HAVE BEFORE US A
23 STAFF CRITIQUE OF THAT NUMBER QUESTIONING WHETHER
24 IT'S A PERFECT NUMBER. WE'VE HAD APC REPEATEDLY
25 AT VARIOUS MEETINGS AND CASCADIA ATTACK IT AS A

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 STRAW DOG AS THOUGH THAT'S BEING ADVOCATED AS AN
2 ALTERNATIVE NUMBER. AND NOBODY HAS EVER ADVOCATED
3 IT AS AN ALTERNATIVE NUMBER.

4 WHAT HASN'T BEEN DONE, THAT SHOULD
5 HAVE BEEN DONE, WAS AN ADEQUATE ANALYSIS TO
6 ACTUALLY COME UP WITH AN ADJUSTED NUMBER TO SEE
7 WHAT KIND OF A COMPARISON THERE WAS. AND THE
8 PURPOSE OF A BENCHMARK IS TO TRY TO STRENGTHEN THE
9 ORIGINAL NUMBER, TO TRY TO HAVE SOMETHING TO
10 COMPARE IT TO, SOME BASIS TO COMPARE IT TO.

11 AND SO TO ARGUE ABOUT THEM AS
12 COMPETING NUMBERS IN TERMS OF WHICH IS THE BETTER
13 NUMBER I DON'T THINK IS WHAT THE INTENT EVER WAS
14 AND WHY I PROPOSED TO THE BOARD, AND THE BOARD
15 AGREED, BUT IT WAS NEVER ACCOMPLISHED, THAT WE
16 HAVE A BENCHMARK.

17 IF THE PLASTIC INDUSTRY AND THE
18 INDUSTRIES THAT USE PLASTIC CONTAINERS HAD TAKEN
19 THE SAME TIME AND MONEY THAT'S BEEN SPENT IN THE
20 LEGISLATIVE AND REGULATORY PROCESS TO AVOID HAVING
21 TO DO ANYTHING FOR RECYCLING, INSTEAD THEY HAD
22 WORKED TO INCREASE THE PLASTIC RECYCLING RATE AND
23 ESTABLISH MARKETS FOR RECYCLED PLASTIC, WE
24 WOULDN'T BE SITTING HERE TODAY HAVING TO HAVE
25 THESE RIDICULOUS DEBATES SIMILAR TO HOW MANY

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 ANGELS YOU CAN GET ON THE HEAD OF A PIN WHETHER
2 WE'RE AT 25.2 PERCENT OR WHETHER WE'RE AT 24.7
3 PERCENT. WE INSTEAD WOULD BE LOOKING AT A
4 RECYCLING RATE THAT'S WELL ABOVE 25 PERCENT, AND
5 WOULDN'T HAVE TO HAVE THE DEBATE AT ALL.

6 IF THE BOARD HAD NOT RENEGED ON ITS
7 AGREEMENT TO HIRE AN INDEPENDENT CONSULTANT TO
8 REVIEW THE PLASTIC INDUSTRY'S RECYCLING RATE
9 STUDY, THE NUMBERS WE HAVE BEFORE US MIGHT ENJOY A
10 GREATER LEVEL OF PUBLIC CONFIDENCE.

11 IF BOARD STAFF HAD FOLLOWED THE
12 BOARD'S INSTRUCTION OF A YEAR AGO AND HAD
13 DEVELOPED AN ADJUSTED BENCHMARK BASED ON NATIONAL
14 RESIN NUMBERS, THEN THE BOARD WOULD HAVE SOME
15 BASIS FOR DETERMINING HOW ACCURATE THE 25.2 OR THE
16 24.7 NUMBER ACTUALLY WOULD BE.

17 IF THOSE WHO STRENUOUSLY ARGUED AT THE
18 LAST BOARD MEETING THAT THE BOARD HAD NO OPTION
19 OTHER THAN TO ADOPT A 25.2 PERCENT NUMBER WHICH
20 SHOWED SOME CONSISTENCY NOW THAT THEY HAVE FOUND
21 OUT THAT THOSE NUMBERS WEREN'T CORRECT AND WOULD
22 NOW SUPPORT BOARD ADOPTION OF THE 24.7 PERCENT
23 RATE, WE'D PROBABLY BE ABLE TO REACH SOME
24 AGREEMENT HERE FAIRLY QUICKLY AND ADOPT THAT
RATE.

25 I'D LIKE TO COMPARE WHAT'S GONE ON

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 WITH PLASTICS INDUSTRY TO OTHER PACKAGING
2 MATERIALS AND TO THE PAPER INDUSTRY IN THIS
3 COUNTRY WHERE STRENUOUS EFFORTS HAVE BEEN MADE BY
4 THOSE INDUSTRIES TO INCREASE THEIR RECYCLING
5 RATES. WE HAD A REPORT BEFORE US THE OTHER DAY
6 THAT NEWSPRINT IN CALIFORNIA HAS ACHIEVED A
7 50-PERCENT UTILIZATION RATE BY THE USERS OF
8 NEWSPRINT IN THE STATE.

9 WE HAVE THE PAPER INDUSTRY IN GENERAL,
10 WHETHER IT'S PACKAGING OR WRITING PAPERS OR
11 NEWSPRINT, CONTINUING TO PUSH, CONTINUING TO
12 INVEST, CONTINUING TO SHOW GOOD FAITH IN RESPONSE
13 TO THE PUBLIC'S DESIRE THAT WE REDUCE THE AMOUNT
14 OF WASTE IN CALIFORNIA AND THAT WE MAXIMIZE THE
15 AMOUNT OF RECYCLING. WE HAVE NOT SEEN THAT FROM
16 THE PLASTICS INDUSTRY.

17 I THINK THE PLASTICS INDUSTRY
18 INCREASINGLY STANDS OUT ALONE AND APART FROM THE
19 REST OF THE MANUFACTURING INDUSTRY IN THIS STATE
20 AND THIS COUNTRY IN TERMS OF THEIR WILLINGNESS TO
21 RESPOND TO THE PUBLIC'S CONCERNS. AND AS I SAID
22 EARLIER, I THINK THAT'S GOING TO COME BACK AND
23 BITE THEM. I THINK THE TIME IS GOING TO COME WHEN
24 THE PUBLIC'S FOCUS ON RECYCLING AND ENVIRONMENTAL
25 ISSUES WILL ONCE AGAIN TAKE PRECEDENT OVER OTHER

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 CONCERNS, AND THE OTHER INDUSTRIES WILL BE ABLE TO
2 POINT TO THE TREMENDOUS PROGRESS THAT THEY'VE MADE
3 IN REDUCING THEIR CONTRIBUTION TO THE WASTE
4 STREAM. AND I DON'T BELIEVE THE PLASTICS INDUSTRY
5 WILL BE ABLE TO MAKE THAT DEFENSE, AND THE RESULT
6 WILL BE THAT THE FOCUS OF THE PUBLIC'S IRE WILL BE
7 ENTIRELY ON ONE PARTICULAR PRODUCT TYPE, AND I
8 THINK THAT'S UNFORTUNATE.

9 A FEW WEEKS AGO I INDICATED TO SEVERAL
10 PEOPLE I SPOKE WITH THAT I MIGHT BE WILLING TO
11 SUPPORT A RECYCLING RATE RANGE, BUT THE MORE I
12 THOUGHT ABOUT THE WAY THE PROCESS HAS BEEN HANDLED
13 BY THE BOARD, BY THE PLASTICS INDUSTRY, AND BY THE
14 STAFF, THE MORE I FELT THAT I SHOULD RETURN TO MY
15 PAST POSITION OF FAVORING NO RECYCLING RATE AT
16 THIS TIME.

17 I DON'T BELIEVE THAT EITHER THE BOARD
18 OR THE PROCESS THAT'S BEEN FOLLOWED OFFERS A FIRM
19 BASIS FOR ADOPTING A RECYCLING RATE. AT THIS
20 POINT I WOULD SUPPORT ADOPTING NO RATE AND TAKING
21 WHAT WE HAVE LEARNED FROM THIS PROCESS ABOUT WHAT
22 NOT TO DO NEXT YEAR IF WE ARE GOING TO BE SUCCESS-
23 FUL IN ACTING WITH SOME CREDIBILITY IN ADOPTING A
24 RATE FOR NEXT YEAR. SO THAT'S MY POSITION.

25 MEMBER FRAZEE: MR. CHAIRMAN, IF I COULD.

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 CHAIRMAN CHESBRO: MR. FRAZEE.

2 MEMBER FRAZEE: I SUPPORT THE ADOPTION OF
3 THE RANGE PROPOSAL AS PRESENTED TO US BY THE STAFF
4 THIS MORNING. AND I'D LIKE TO SPEND A FEW MOMENTS
5 GOING THROUGH THAT.

6 FIRST OF ALL, I THINK THAT THERE IS IN
7 MY MIND THE -- LET ME USE THE PROPER WORD HERE --
8 I THINK THE UNDERSTANDING ON MY PART THAT
9 GOVERNMENT MANDATES IN THE MARKETPLACE ULTIMATELY
10 FAIL. AND MUCH OF WHAT YOU'VE TALKED ABOUT ABOUT
11 THE POSITIVE ACTION BY PAPER INDUSTRIES AND OTHER
12 PRODUCERS OTHER THAN PLASTICS MAY HAVE HAD SOME
13 IMPACT FROM MANDATES, BUT THE IMPACT IS AN
14 ECONOMIC ONE. IT'S A SHORTAGE OF MATERIALS FROM
15 OTHER SOURCES ARE THE MAJOR REASON THAT THERE'S
16 BEEN SUCCESS IN THOSE AREAS. I DON'T THINK WE CAN
17 ATTRIBUTE THAT TO ACTION BY THE LEGISLATURE IN
18 MANDATING CONTENT.

19 AND I START FROM THAT PREMISE TO BEGIN
20 WITH. I THINK IT'S POSSIBLE TO HAVE A ONE-HUNDRED
21 PERCENT ACCURATE RATE. AND YOU CAN DO THAT BY
22 PHYSICALLY COUNTING EVERY PLASTIC CONTAINER THAT
23 ENTERS THE MARKETPLACE AND PHYSICALLY COUNTING
24 EVERY ONE THAT'S RECYCLED AND PHYSICALLY COUNTING
25 EVERY ONE THAT WENT INTO LANDFILL. WE ALL KNOW

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 THAT THAT'S NOT POSSIBLE, AND SO THERE MUST BE
2 SOME OTHER METHODOLOGIES TO ACHIEVE THAT.

3 THE ONE THAT WAS USED IN THE STUDY AT
4 HAND, THE CASCADIA METHOD, TO ME, HAS THE GREATEST
5 LEVEL OF CONFIDENCE. THE IDEA THAT WE CAN TAKE
6 NATIONAL RESIN STANDARDS, AND I THINK STAFF DID AN
7 EXCELLENT JOB OF DISMISSING THAT ONE, IT'S SPECU-
8 LATION AT BEST ON WHAT EVEN A BENCHMARK IS USING
9 THOSE KINDS OF NUMBERS.

10 IN USING THE ONE THAT WE HAVE AND THE
11 RANGE THAT WE HAVE AND THE ONE THAT I SUPPORT
12 REMINDS ME A BIT OF THE CASE THAT WAS BEFORE THE
13 U.S. SUPREME COURT IN RECENT YEARS AND HAVING TO
14 DO WITH AN INITIATIVE THAT WAS PASSED IN THE STATE
15 OF WEST VIRGINIA SIMILAR TO OUR PROPOSITION 13.
16 AND I BELIEVE IT WAS JUSTICE SCALIA WRITING IN
17 SUPPORT OF THAT INITIATIVE, WHEN SOME PARTS OF IT
18 WERE DISPUTED, SAID -- USED THE TERM "IT'S CLOSE
19 ENOUGH FOR GOVERNMENT WORK." AND I THINK THAT'S
20 WHERE WE ARE WITH THIS.

21 THIS IS GOVERNMENT WORK, AND I THINK
22 IT'S CLOSE ENOUGH. THE EFFECT OF DOING SOMETHING
23 ELSE, I DON'T KNOW WHERE THAT GETS US TO. YOU'VE
24 CRITICIZED THE PLASTICS INDUSTRY, AND THAT'S GOING
25 TO -- THEIR ACTIONS ARE GOING TO HAPPEN.

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 ULTIMATELY PLASTICS WILL GET RECYCLED WHEN THE
2 EDUCATION IS OUT THERE AND THE ETHIC IS THERE FOR
3 PEOPLE TO PUT THAT MATERIAL OUT AND HAVE IT
4 RECYCLED. AND NO MANDATE BY GOVERNMENT ON HOW
5 MUCH IS GOING TO BE USED IS GOING TO ACHIEVE THAT.

6 I TAKE MY MORNING WALK AND I PAY
7 PARTICULAR ATTENTION, AS I DID THIS MORNING, IT
8 WAS RECYCLING DAY IN OUR NEIGHBORHOOD, AND THERE
9 WERE LESS THAN 10 PERCENT OF THE HOMES IN A MIDDLE
10 CLASS NEIGHBORHOOD THAT HAD THEIR RECYCLING BINS
11 OUT. THAT'S WHERE THE TARGET IS IS ON THAT END.
12 AND BY GOVERNMENT MANDATES ON THE PRODUCTION AND
13 USE END, I DON'T THINK THAT WE'RE EVER GOING TO
14 GET TO THAT POINT.

15 HAVING THE MATERIAL AVAILABLE IN THE
16 MARKETPLACE IS WHAT'S GOING TO PRODUCE A GREATER
17 LEVEL OF RECYCLING IN MEETING THE GOALS, I THINK,
18 THAT WE ALL SUPPORT.

19 I DON'T KNOW WHERE WE'RE GOING WITH
20 THIS. I THINK, BASED ON THE FACT THAT WE MUST DO
21 THIS EVERY YEAR, YEAR AFTER YEAR, WE HAVE TO
22 SETTLE ON SOME REASONABLE METHODOLOGY AT COMING UP
23 WITH A NUMBER. AND AS I SAY, WE CAN SPEND OUR
24 ENTIRE BUDGET AND COUNT EVERYTHING, OR WE CAN
25 SPEND SOMEWHAT LESS AND FIND A NUMBER THAT THERE'S

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 A COMFORT LEVEL WITH. AND I THINK IN THIS CASE
2 THAT'S WHAT WE'VE DONE. AND WE'RE BEHIND TIMES ON
3 THIS.

4 WE'RE NOT -- JUST IN A VERY FEW MONTHS
5 WE'RE GOING TO BE SITTING HERE TALKING ABOUT WHAT
6 THE 1996 RATE IS. AND WITHOUT SOME KIND OF AN
7 ESTABLISHED STARTING POINT, THAT'S GOING TO BE
8 DIFFICULT. AND I DON'T THINK OUR BUDGET
9 ACCOMMODATES A \$400,000 TRASH SORT STUDY FOR '96
10 TO GET US TO THAT POINT. SO --

11 CHAIRMAN CHESBRO: THAT MUCH WE AGREE
12 ABOUT.

13 MEMBER FRAZEE: I THINK THAT WE SHOULD GET
14 THIS BEHIND US BY ADOPTING AND ACCEPTING THE STUDY
15 THAT'S BEEN DONE AND ADOPTING A RANGE AS HAVING
16 MET THE INTENT OF THE LAW AND MOVE ON FROM HERE.
17 AND, IN FACT, I WOULD MAKE THAT AS A MOTION.

18 CHAIRMAN CHESBRO: OKAY. IS THERE A
19 SECOND? OKAY. THERE'S NOT A SECOND AT THIS
20 POINT. WE'LL HAVE A FURTHER DISCUSSION AND SEE
21 WHERE IT GETS US.

22 MEMBER GOTCH: I'D LIKE TO MAKE ANOTHER
23 MOTION, IF I MAY, AND THAT IS THAT WE FORWARD THIS
24 ITEM TO THE FULL BOARD WITHOUT A RECOMMENDATION.

25 CHAIRMAN CHESBRO: OKAY. IS THERE A SECOND

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 FOR THAT? IT WOULD AT LEAST GIVE US THE CHANCE TO
2 TRY IT AT THE BOARD LEVEL AND SEE WHERE WE GET.

3 MEMBER FRAZEE: LET ME JUST SUGGEST ON THAT
4 MOTION THAT THAT'S GOING TO HAPPEN ANYWAY BECAUSE
5 OUR PREVIOUS BOARD ACTION WAS TO REPORT BACK TO
6 THE FULL BOARD AT THE SEPTEMBER MEETING BY
7 UNANIMOUS VOTE.

8 CHAIRMAN CHESBRO: OKAY. DO YOU HAVE
9 FURTHER COMMENTS OR QUESTIONS?

10 MEMBER GOTCH: NO, I DON'T.

11 CHAIRMAN CHESBRO: THE ONLY ADDITIONAL
12 THING I WOULD SAY IS THAT I'VE SPENT A LOT OF TIME
13 TALKING TO LOCAL GOVERNMENTS AND COLLECTORS AND
14 RECYCLERS, AND I HAVE NEVER HEARD ONE OF THEM SAY
15 THAT THE PROBLEM WITH PLASTIC RECYCLING WAS
16 GETTING THE PEOPLE TO GET THE MATERIAL TO THEM. I
17 MEAN THE PROBLEM THAT THEY BRING UP WITH ME DAY
18 AFTER DAY AFTER DAY IS WHAT IN THE HECK ARE WE
19 GOING TO DO WITH THIS STUFF? PUBLIC WANTS IT
20 RECYCLED. WHAT ARE WE GOING TO DO WITH IT? HOW
21 CAN WE FIND HOMES FOR THIS MATERIAL? HOW CAN WE
22 FIND USES FOR THIS MATERIAL?

23 AND, FRANKLY, I THINK IF WE CAN CREATE
24 THE MARKETS AND THE DEMAND FOR THE MATERIAL, THE
25 REST OF THE PROBLEM WILL TAKE CARE OF ITSELF. THE

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 COLLECTION PROBLEM WILL BE HANDLED. SO I RESPECT-
2 FULLY DISAGREE THAT THE SOURCE OF THE PROBLEM IS
3 THE PUBLIC'S WILLINGNESS TO RECYCLE PLASTIC. BUT
4 ANYWAY --

5 MR. CHANDLER: CHAIRMAN CHESBRO, COULD I
6 MAKE ONE COMMENT?

7 CHAIRMAN CHESBRO: MR. CHANDLER.

8 MR. CHANDLER: AS CHAIRMAN OF THE
9 COMMITTEE, I THINK YOU DID IN YOUR REMARKS
10 CRITIQUE THE ACTIONS OF THE INDUSTRY, THE ACTIONS
11 OF YOUR COLLEAGUES ON THE BOARD, AND THE ACTIONS
12 OF STAFF IN PARTICULAR. AND I, FOR ONE, WHO HAVE
13 HAD CONVERSATIONS WITH YOU AROUND THE RANGE
14 CONCEPT AM DISAPPOINTED TO HEAR THAT, BASED ON
15 YOUR VIEW OF STAFF'S ACTIONS TO DATE, YOU'RE
16 UNWILLING TO LOOK AT THAT APPROACH, THE APPROACH
17 THAT STAFF'S RECOMMENDING. AND, OF COURSE, IT'S
18 YOUR PREROGATIVE, BUT I DO WANT TO GO ON RECORD OF
19 ACKNOWLEDGING STAFF, PARTICULARLY IN THESE
20 INTERVENING TWO WEEKS THAT WE'VE WORKED TO DO THE
21 ANALYSIS, STEVE AND BILL AND CAREN, FOR WHAT I
22 FELT WAS INDEPENDENT STAFF WORK AND WORK THAT MET
23 THE BOARD'S DIRECTION. SO I APPRECIATE YOU GIVING
24 ME THE OPPORTUNITY TO ACKNOWLEDGE STAFF.

25 CHAIRMAN CHESBRO: SURE. LET ME RESPOND BY

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 SAYING THAT I'M TELLING YOU I'VE STATED HOW I FEEL
2 TODAY, AND IT'S -- YOU KNOW, I HAVEN'T CLOSED THE
3 DOOR ON OTHER POSSIBILITIES BY THE BOARD MEETING.
4 BUT I SURE WOULD LIKE TO HAVE A HIGHER CONFIDENCE
5 LEVEL THAT WE'RE GOING SOMEWHERE WITH THIS, THAT
6 THIS ISN'T A DEAD END STREET. AND THAT'S THE
7 FRUSTRATION THAT I'M EXPRESSING HERE IS THAT THE
8 PUBLIC'S DESIRES, I BELIEVE, HAVE BEEN SHAT UPON,
9 THEY'VE BEEN IGNORED AND TREATED QUITE SHABBILY
10 ACROSS THE BOARD, AND THAT THAT'S GOING -- THERE'S
11 GOING TO BE A BACKLASH TO THAT AT SOME POINT.

12 AND WITH REGARDS TO STAFF, I WAS
13 CRITICIZING SOMETHING THAT'S GONE ON OVER A YEAR'S
14 TIME. I WOULD CONCUR WITH YOU THAT THE WORK OVER
15 THE LAST SEVERAL MONTHS ON THIS, MY CONFIDENCE
16 LEVEL WITH THE WORK THAT STAFF'S BEEN DOING HAS
17 BEEN INCREASING. AND SO I WAS POINTING TO A
18 PARTICULAR FRUSTRATION WITH SOMETHING THAT I FELT
19 THE BOARD CLEARLY ASKED FOR THAT HAS NOT EMERGED,
20 BUT IN GENERAL I DO THINK THAT THE BASIS FOR
21 CREDIBILITY FOR STAFF'S WORK HAS BEEN EVOLVING
22 HERE, AND MY CONFIDENCE IS IMPROVING AS WELL. I'D
23 LIKE TO ADD THAT.

24 MEMBER FRAZEE: MR. CHAIR, COULD I JUST
25 MAKE COMMENT ON -- ALONG THAT LINE, AND I DON'T

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 WANT TO BEAT THIS ANY FURTHER. BUT I'M DISTURBED
2 BY YOUR WORDS IN CRITICISM OF STAFF. AND, YOU
3 KNOW, I MAY HAVE SOME OF THAT REPUTATION ALSO, BUT
4 I'VE ALWAYS MADE IT VERY CLEAR THAT, WHILE I MAY
5 HAVE A DIFFERENCE OF OPINION WITH STAFF, I NEVER
6 CRITICIZE THEIR WORK AND THEIR INTENT IN DOING THE
7 RIGHT KIND OF THING.

8 IN FACT, IN A RECENT DISPUTE ON AN
9 ISSUE THAT'S BEEN BEFORE MY COMMITTEE, WHERE I
10 TAKE AN OPPOSITE POSITION FROM STAFF, I HAVE TOLD
11 THEM REPEATEDLY THAT IF I WERE IN THEIR POSITION,
12 I WOULD HAVE COME TO THE SAME CONCLUSION BECAUSE
13 THAT'S THEIR PARTICULAR ASSIGNMENT. AND I --
14 WHILE I DIFFER FROM THAT, I'M NOT GOING TO BE
15 CRITICAL OF THEIR TALENT OR THEIR ABILITY TO
16 PRODUCE THE JOB OR PERFORM FOR US.

17 CHAIRMAN CHESBRO: WELL, I GUESS IT'S
18 NECESSARY FOR ME TO COMMENT A LITTLE FURTHER,
19 THEN, BECAUSE, IN GENERAL, I THINK IF YOU WERE TO
20 TALK TO THE STAFF, YOU WOULD FIND THAT I AM ONE OF
21 THE BOARD MEMBERS WHO'S THE MOST SUPPORTIVE AND
22 THE GREATEST ADMIRERS OF STAFF'S WORK IN THIS
23 ORGANIZATION.

24 AND MY COMMENTS ARE NOT GENERALLY
25 AIMED AT THE OVERALL WORK OF STAFF, NOR THEIR

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 TALENT, NOR THEIR ABILITIES. BUT WE HAVE A VERY
2 SPECIFIC INSTANCE WHERE SIX VOTES ON THIS BOARD
3 WERE ACHIEVED FOR AGREEMENT TO PROCEED WITH THE
4 CASCADIA STUDY ON THE BASIS OF A COUPLE OF OTHER
5 ITEMS TAKING PLACE TO INCREASE THE CREDIBILITY OF
6 THAT STUDY. AND ONE OF THEM WAS THE STAFF WAS TO
7 PREPARE A BENCHMARK NUMBER.

8 AND THAT MOTION WOULD NOT HAVE HAD SIX
9 VOTES HAD THERE NOT BEEN A COMPROMISE AND AGREE-
10 MENT. TWO MAJOR COMPONENTS OF THAT AGREEMENT WERE
11 RENEGED UPON, ONE BY STAFF, ONE BY THE BOARD. AND
12 I'LL HAVE TO SAY THAT OVER AND OVER AND OVER
13 AGAIN. I'M BEING VERY SPECIFIC AND VERY PRECISE
14 IN MY COMMENTS. I'M NOT TALKING ABOUT EVERYTHING
15 THAT STAFF'S DONE ON THIS. I'M NOT TALKING ABOUT
16 ANY OTHER STAFF WORK. BUT THAT WAS A DIRECT
17 FAILURE TO FOLLOW THROUGH FOR PRETTY MUCH AN
18 ENTIRE YEAR ON SOMETHING THAT WAS PART OF A BOARD
19 MOTION AND WAS NEVER REPEALED BY THE BOARD, AND
20 IT'S ONE OF THE CONTRIBUTING REASONS WHY WE ARE
21 WHERE WE ARE.

22 AND SO I FEEL VERY BADLY HAVING TO
23 CONTINUALLY REPEAT IT, BUT IT IS PART OF THE
24 ORIGIN OF THIS CONFLICT. AND IT'S NOT THE
ONLY

Please note: These transcripts are not individually reviewed and approved for accuracy.

25 ONE. I'M NOT PUTTING ALL THE BURDEN ON THAT

Please note: These transcripts are not individually reviewed and approved for accuracy.

1 PARTICULAR FAILURE TO RESPOND, BUT IT IS A
2 CONTRIBUTING FACTOR THAT I DON'T THINK CAN BE
3 SWEPT UNDER THE RUG. AND, YOU KNOW, I'M SORRY
4 THAT I HAVE HAD TO FOCUS ON IT, BUT IT'S PART OF
5 THE REASON WHY I HAVE NOT BEEN PREPARED TO VOTE TO
6 ADOPT A RATE.

7 SO IF THERE'S ANY OTHER RESPONSES,
8 I'LL TAKE THEM. OTHERWISE, I THINK WE'RE ABOUT
9 THROUGH FOR THE DAY.

10 WELL, I THINK THERE WAS NOT A SECOND.
11 AND AS POINTED OUT BY MR. FRAZEE, THE BOARD'S
12 DIRECTION WAS TO PLACE THIS ITEM BACK ON THE
13 SEPTEMBER BOARD AGENDA, SO IT WILL BE THERE. AND
14 THERE'S NOT, I GUESS, THE NEED FOR US TO MOVE
15 THAT.

16 WE DO HAVE JUST -- REMAINING WE HAVE
17 OPEN DISCUSSION AND ADJOURNMENT. IS THERE ANY
18 OTHER ISSUES?

19 MEMBER FRAZEE: ALREADY HAD THAT.

20 CHAIRMAN CHESBRO: YES, WE HAVE. THANK YOU
21 ALL VERY MUCH.

22 (END OF PROCEEDINGS AT 11:15 A.M.)

23

24

25

Please note: These transcripts are not individually reviewed and approved for accuracy.

Please note: These transcripts are not individually reviewed and approved for accuracy.